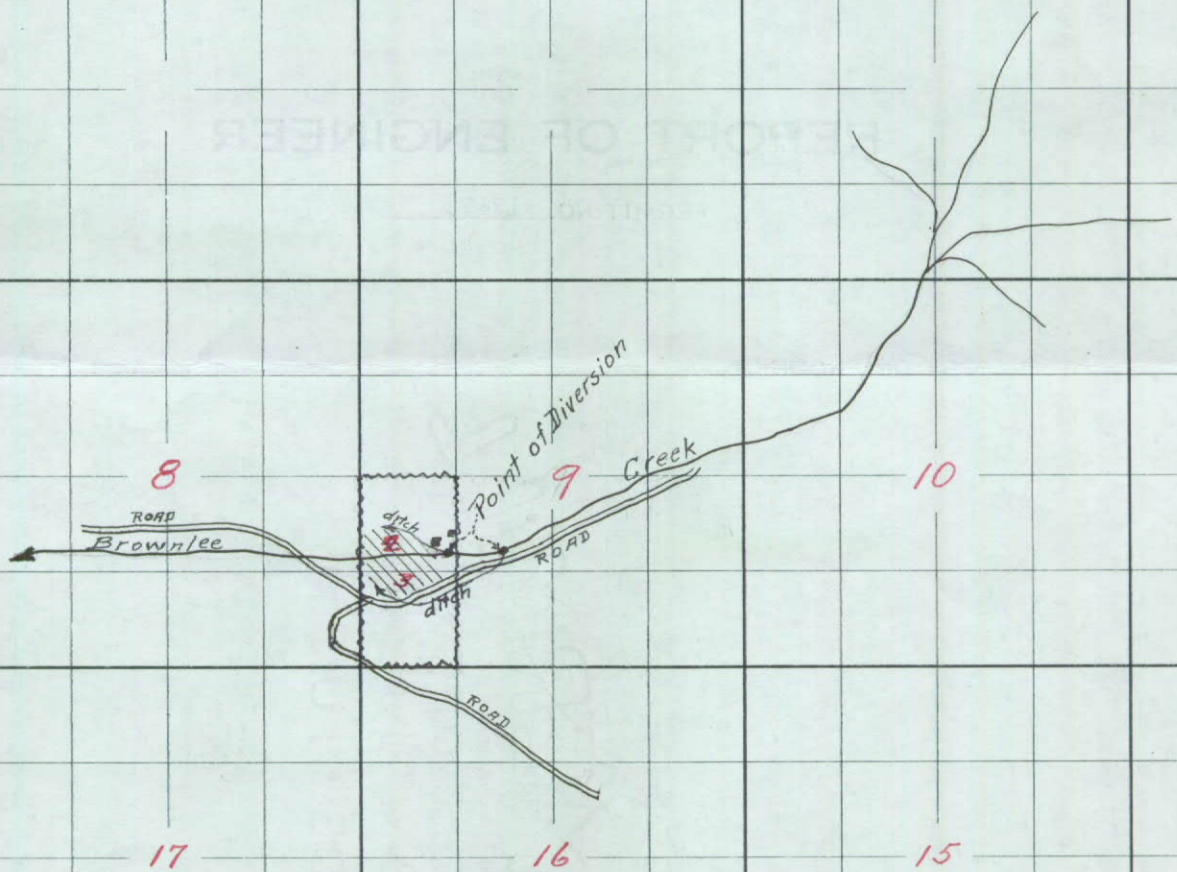




AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Washington } ss.

Earle Sample, being duly sworn,
deposes and says:

That he is the principal clerk of
THE WEISER SIGNAL, a weekly newspaper published at
Weiser, in the County of Washington and State of Idaho; that
said paper has been and is in general circulation in the county
aforesaid, and in the vicinity of Weiser; that the advertise-
ment, a copy of which is attached hereto, was published in
said newspaper once a week for four consecutive weeks
in the regular and entire issue of said paper during the period
and time of publication, and was published in the newspaper
proper and not in a supplement; that said paper has been
established and regularly published for more than seventy-
eight consecutive weeks prior to the date of first publication
of said advertisement.

Such notice was published in the issue beginning with
October 29, 1931, and ending
with the issue of November 19, 1931
Earle Sample
Fees, \$ 9.40

Subscribed and sworn to before me this 26 day
of November, 1931
Geo. Donohue
Notary Public, Residing at Weiser, Idaho.

My Commission Expires....., 19.....

Notice for Publication.

Notice of Proof Application of Water to Beneficial Use

Notice is hereby given that at 10
a. m. on the 26th day of November,
1931, at Weiser, Idaho, County of
Washington, State of Idaho, be-
fore E. W. Horner, Notary Public,
proof will be submitted of the ap-
plication to beneficial use of 0.1
cubic feet per second of the waters
of Brownlee Creek in accordance
with the terms and conditions of
Permit No. 17473 heretofore issued
by the Commissioner of Reclama-
tion of the State of Idaho.

The name and postoffice address
of the person or corporation hold-
ing said permit are United States
Forest Service, Department of Ag-
riculture.

The use to which said water has
been applied is irrigation and do-
mestic purposes.

The amount applied to beneficial
use is 0.1 second feet.

The place where said water is
used (if for irrigation, give full
and accurate description of the
lands irrigated) Portions of the
NW $\frac{1}{4}$ SW $\frac{1}{4}$, and the SW $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 9, T. 16 N., R. 4 W., B. M.

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

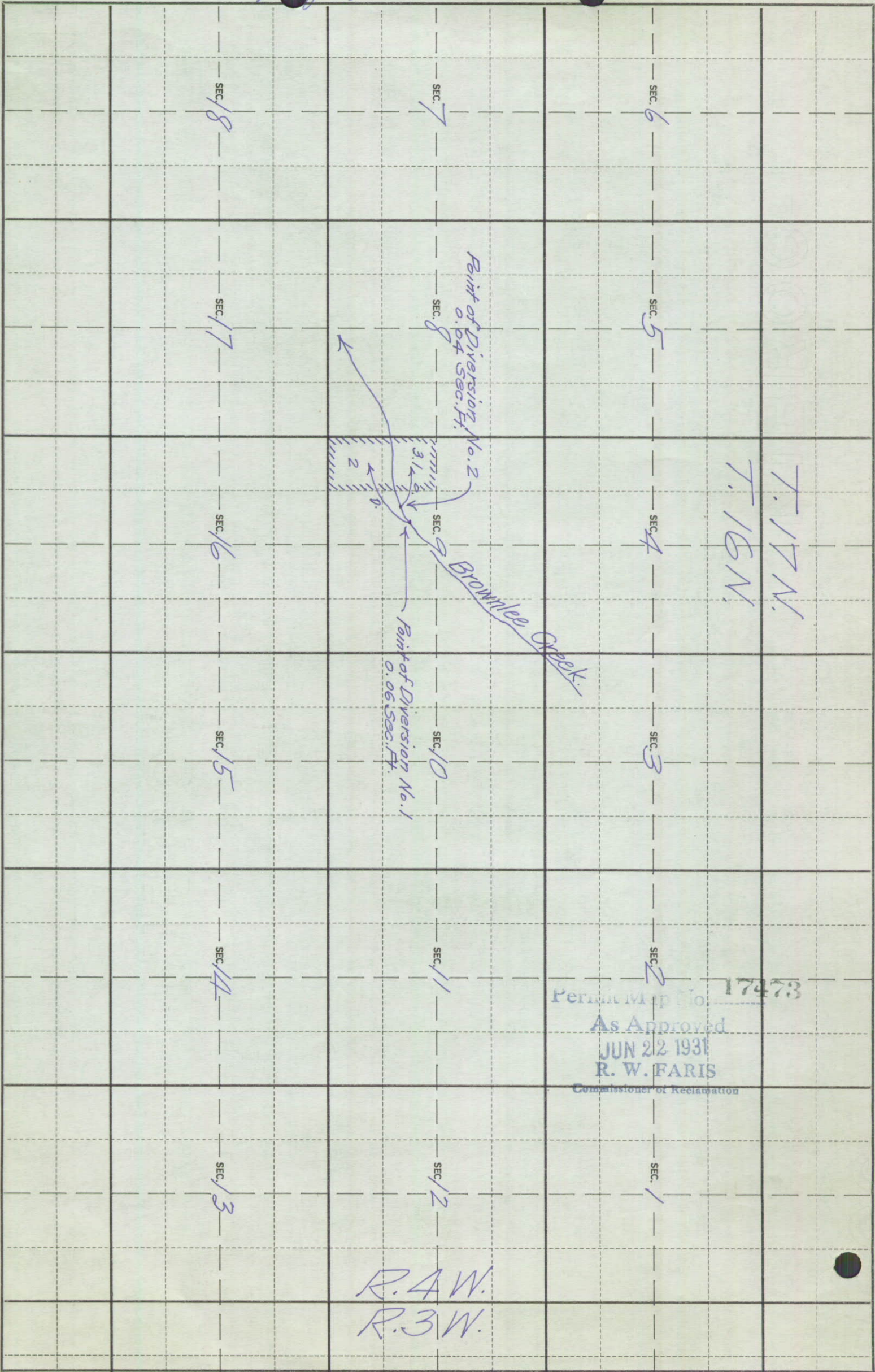
The right to take water from
such works is based upon Permit
No. 17473.

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

The date of the priority which
said user is prepared to establish
is 1887.

R. W. FARIS,
12-15 Commissioner of Reclamation

17473



State of Idaho
License and Certificate of Water Right

Water License No. 17473 Amount 0.1
Water District No. Priority June 9, 1931

THIS IS TO CERTIFY that United States Department Agriculture-Forest Service of Weiser, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated June 9, 1931; that Permit No. 17473 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.1 second feet, was issued thereunder on November 3, 1931, showing that said works were completed on the 20th day of October, 1931; and that on the 26th day of November, 1931,

The United States Department Agriculture-Forest Service of Weiser, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of Brownlee Creek, a tributary of Snake River, for the purpose of irrigation, under Use Permit No. 17473 of the Commissioner of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 7 of Licenses, at page 3718, on the 23rd day of January, 1933; The right hereby confirmed dates from June 9, 1931;

The Point of Diversion is located in the NE 1/4 SW 1/4, Sec. 9, Tp. 16 N., R. 4 W., B. M. Washington County That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.1 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 N	4 W	9	NW 1/4 SW 1/4	3.1	2
16 N	4 W	9	SW 1/4 SW 1/4	2.0	3

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 23rd day of January, 1933

R. W. FARIS
Commissioner of Reclamation

(SEAL)

67-2456
69-2053

State of Idaho

License and Certificate of Water Right

Water License No. 17080

Amount 1.78 Sec. Ft.

Water District No.

Priority November 10, 1929

THIS IS TO CERTIFY that The Boise Payette Lumber Company of Boise, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated April 26, 1929; that Permit No. 17080 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 2.5 second feet, was issued thereunder on August 21, 1931, showing that said works were completed on the 11th day of August, 1931, and that on the 16th day of November, 1932,

The Boise Payette Lumber Company of Boise, 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 Payette River, for the purpose of irrigation and domestic use, under Use Permit No. 17080 of the Commissioner of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 7 of Licenses, at page 3717, on the 23rd day of January, 1933;

The right hereby confirmed dates from November 10, 1929;

The Point of Diversion is located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 6, Tp. 6 N., R. 1 W., B. M. Gem County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 1.78 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 N	1 W	6	SW $\frac{1}{4}$ NW $\frac{1}{4}$	19.3	15
"	"	"	NE $\frac{1}{4}$ SW $\frac{1}{4}$	40.0	40
"	"	"	NW $\frac{1}{4}$ SW $\frac{1}{4}$	39.5	30
"	"	"	NW $\frac{1}{4}$ SE $\frac{1}{4}$	14.0	14
6 N	2 W	1	SE $\frac{1}{4}$ NE $\frac{1}{4}$	14.5	10
"	"	"	NE $\frac{1}{4}$ SE $\frac{1}{4}$	40.0	30

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 23rd day of January, 1933

R. W. FARIS
Commissioner of Reclamation

(SEAL)

67-2156

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

Application No. **24546**Permit No. **17473**

District No.

1. Name of Applicant: **United States Department of Agriculture-Forest Service**Postoffice address: **Weiser** County: **Washington** 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:

(c) Bonds to be issued:

(b) Treasury stock:

(d) Other resources:

2. Quantity of water claimed: **0.1** cubic feet per second.3. Source of water supply: **Brownlee Creek** which is a tributary of **Snake River**

4. Location of point of diversion: **1650' and 2100'** feet distant from the **West 1/4**
 corner of Section **9**, T. **16 N**, R. **4 W.**, B. M., and **are** in the **No. 1 (0.06 sec. ft.) NE 1/4 SW 1/4**
 of Section **9**, T. **16 N.**, R. **4 W.**, B. M., County of **Washington**

5. Water is to be used for: **Irrigation**

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

(a) Point of use of water: feet distant from corner of Section
 T. , R. , B. M., in the of Section , T. , R. , B. M.

(b) Amount of power generated: H. P., under feet head.

(c) Water is to be returned to at a point feet

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

7. Estimated cost of works: \$ **240.00**8. Kind of works: **two ditches**

9. Height of dam feet; length of dam at top feet; length of dam at bottom
 feet; material used in dam:

10. Size of headgates: Width **8 1/2"** feet; height **24"** feet.11. Ditch: Width at bottom **1.0** feet; width at water line **14"** feet; depth of water **2-3"**

-feet; dimensions of flume

Diameter of pipe inches; length of conduit **both ditches 2178'** miles.Average grade per mile **1/2 to 3%** feet.12. The time required for the completion of such work is **6 months** 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.

United States Department of Agriculture
Weiser National Forest
Applicant.

By **J. Raphael^{el} (?)** Agent.
Forest Supervisor

Date of first receipt at Department of Reclamation: **2 P.M. June 9, 1931**

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is **17473**
Recorded in Book **63** Page **17473** Approved **June 22, 1931**
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 **August 22, 1931** 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 **September 22, 1931**
The whole of said work to be completed on or before **December 22, 1931**
Beneficial use of water appropriated in accordance herewith, to be made on or before **December 22, 1931**

Witness my hand this **22nd** day of **June, 1931**

R. W. FARIS
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 N	4 W	9									3.1	2							5.1

Remarks: The Forest Service has used approximately the amount of water applied for from Brownlee Creek at the Brownlee Ranger Station continuously since 1907. That approximately the amount of water herein applied for was used from approximately 1887 by Sam Conway and Si Boyles on the land now under irrigation at the present time at Brownlee Ranger Station until 1907 when the interests of Si Boyle were purchased by the United States. That the United States is not bound by the decree of the water rights of Brownlee Creek since it was not made a party thereto.

PERMIT NO 17473

CERTIFICATE OF COMPLETION OF WORKS

To All Whom It May Concern:

This is to certify that the United States Department of Agriculture, Weiser National Forest of Weiser, County of Washington, and State of Idaho, the holder of Permit No. 17473, issued upon Application No. 24546 bearing date of priority of June 9, 1931, authorizing the diversion of 0.1 second feet of the waters of Brownlee Creek, County of Washington, State of Idaho, for Irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit: that said works are adequate for diverting and conveying to the place of intended use 0.1 second feet of the waters of Brownlee Creek; that the point of diversion of said waters is 1650' and 2100' distant from the West ¼ Corner of Section 9, T. 16 N., R 4 W., B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 5.1 acres of land described as follows: 3.1 acres of the NW¼SW¼ and 2.0 acres SW¼SW¼, Section 9 T. 16 N., R. 4 W., B. M.

Witness my hand this 3rd day of November, A. D. 1931.

R. W. FARIS
Commissioner of Reclamation

Proof of Completion of Works made October 20, 1931.
Certificate of Completion of Works issued November 3, 1931.

LICENSE ISSUED FOR 0.1 SEC. FT.

Volume 7, Page 3718

January 28, 1935

RE: Permit No. 17473
U. S. Forest Service

MR. JOHN RAPHAEL, Supervisor
Weiser,
Idaho

Dear Sir:

We are enclosing herewith Office Receipt in the amount
of \$1.00 which is in payment for copy of the above numbered water
license which was furnished you under date of January 10, 1935.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Assistant Chief Clerk

G
Encl.

17473

January 10, 1935

RE: Water License No. 17473
U. S. Department of Agriculture,
Forest Service

MR. J. RAPHAEL, Forest Supervisor
Weiser,
Idaho

Dear Sir:

We are enclosing herewith copy of Water License No. 17473,
issued to the U. S. Department of Agriculture, Forest Service, for
the waters of Brownlee Creek, bearing date of priority as of June 9,
1931.

The charge for preparing this copy is \$1.00.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Assistant Chief Clerk

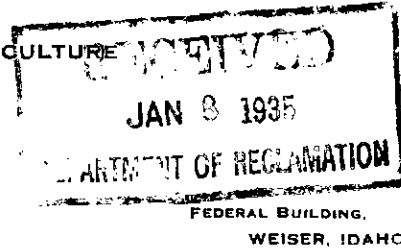
G
Encl.

17473

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
WEISER NATIONAL FOREST



ADDRESS REPLY TO
FOREST SUPERVISOR
AND REFER TO



January 7, 1934

L
Adjustment-Weiser
Brownlee R.S. Appropriation
of Water - Permit #17473

Commissioner of Reclamation

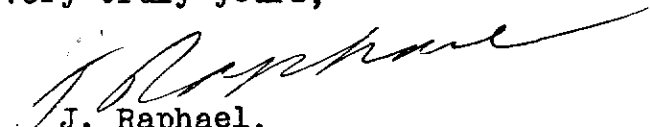
Boise, Idaho

Dear Mr. Faris:

Reference is made to Mr. Henry's letter of January 5. We have searched our files carefully but are unable to find the license and certificate of water right in the above designated case, which you state was sent us January 24, 1933.

In this connection, Mr. Talboy, the Water-master advised us last summer that he had received no evidence of the license and certificate giving us the right to the use of the water. Since he was not disposed to allow us to use the water without this evidence, it will be appreciated if he be informed that the license and certificate has been granted.

Very truly yours,


J. Raphael,
Forest Supervisor.

JR h
cc to
Ranger Burr

17473

January 5, 1935

Re: Permit No. 17473
U. S. Forest Service

MR. JOHN RAPHAEL, Forest Supervisor
Weiser,
Idaho

Dear Sir:

In reply to your letter of December 28th, with reference to the above permit, we wish to advise that under date of January 24, 1933, we mailed you, at Weiser, a License and Certificate of Water Right for .1 of 1 second foot of water from Brownlee Creek and also our office receipt in the amount of \$4.00.

The letter was never returned to this office and, consequently, if you did not receive it it was lost in the mail. If, upon a careful check of your files, you fail to find the license, we should be glad to issue a certified copy of the office record.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PLH:RG

17473

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
WEISER NATIONAL FOREST

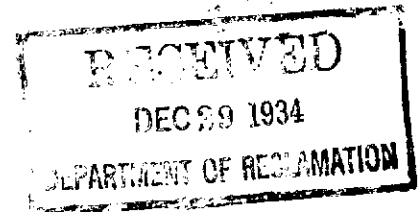


ADDRESS REPLY TO
FOREST SUPERVISOR
AND REFER TO

L-Uses, Weiser
Brownlee R.S.
Appropriation of Water
Permit No. 17473

FEDERAL BUILDING,
WEISER, IDAHO

Dec. 28, 1934.



Commissioner of Reclamation,

Boise, Idaho.

Dear Mr. Faris:

Reference is made to your Mr. Henry's letter of November 28, 1931, acknowledging receipt of our depositions for beneficial use proof and affidavit of publication, stating that after the examination has been made we will be notified as to fees before the license is issued.

I am informed by Ranger Burr of the Brownlee Ranger Station that the examination has been made, but according to our records nothing further has been heard from your office in the matter. We are anxious to get the case definitely settled and your attention to the matter will be greatly appreciated.

Very sincerely yours,

A handwritten signature in cursive script, likely belonging to the Forest Supervisor.

Forest Supervisor.

JR:WP
cc-Burr

17473

January 24, 1933

RE: PERMIT NO. 17473
U.S. Department of Agriculture-Forest Service

MR. J. RAPHAEL
Forest Supervisor
Weiser, Idaho

Dear Sir:

We are herewith enclosing LICENSE AND CERTIFICATE
OF WATER RIGHT for 0.1 cubic feet per second of the waters
of Brownlee Creek, tributary to Snake River, issued under
the above permit, and bearing a date of priority of June 9,
1931. We enclose also office receipt for \$4.00 submitted
in connection with Beneficial Use proof on this water.

Very truly yours,

H. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PIH:MC
Encls.

17473

January 10, 1933

RE: PERMIT NO. 17473

MR. J. RATHAEL
Forest Supervisor
Weiser, Idaho

Dear Sir:

We are herewith returning your voucher covering fees required in connection with BENEFICIAL USE proof on the above numbered permit. This voucher has been signed in accordance with your requirements.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PLH:MC
Encl.

17473

January 6, 1933

RE: PERMIT NO. 17473

MR. J. RAPHAEL
Forest Supervisor
Weiser, Idaho

Dear Sir:

This is to inform you that a license may be issued under the above mentioned permit upon receipt of a fee in the sum of \$4.00.

This fee is for BENEFICIAL USE proof, and is calculated at the rate of \$2.00 for each 40 acre legal subdivision or fraction thereof that is being irrigated. The report of the examining engineer shows that two acres could be irrigated in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, and three acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, T. 16 N., R. 4 W. B. M.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engineer

ELH:MO

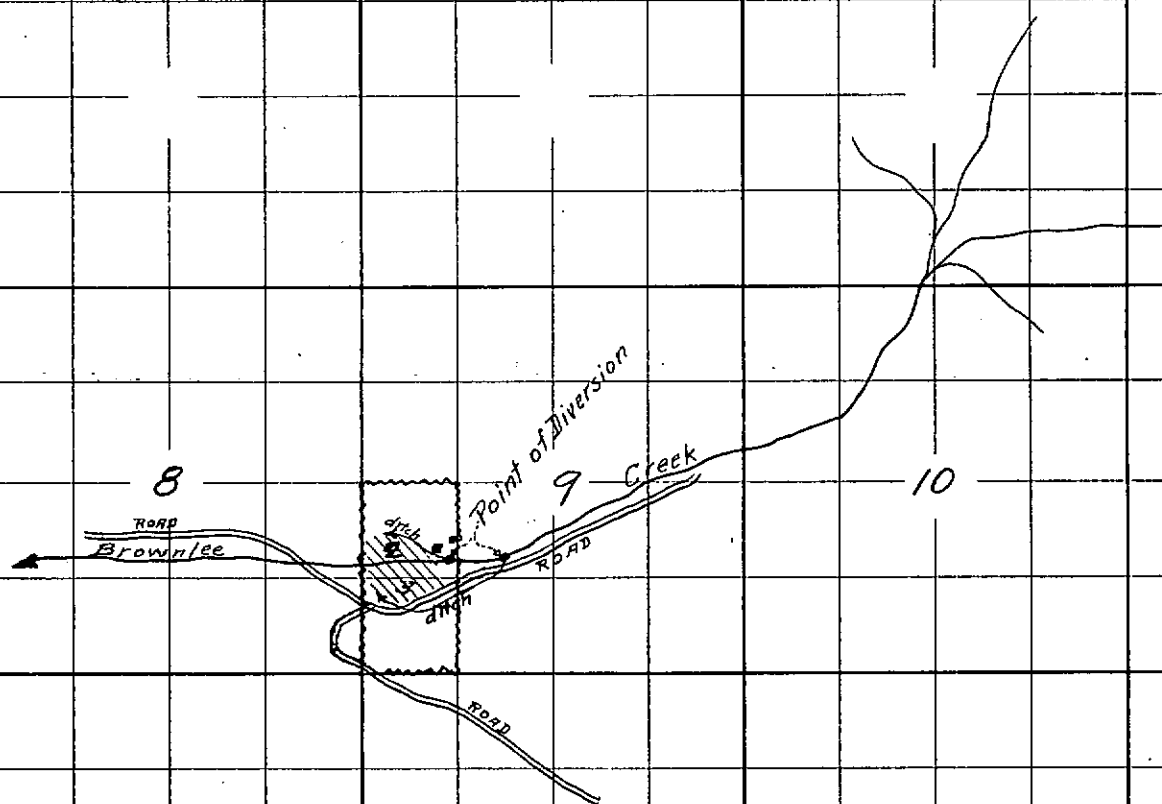
17473

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 17473

REPORT ON PROOF OF BEN. USE



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 17473

This proof is for BEN USE

In Water District No.

1. Name of applicant J. RAPHAEL, Forest Supervisor, Weiser, Idaho

2. Source of water supply: Brownlee Creek

3. Location of points of diversion: ~~in the~~ 1650' & 2100' from W $\frac{1}{4}$ corner of Section 9

T. 16 N. R. 4 W.B.M. County of Washington

No. 1 (0.06 sec. ft) No. 2 (0.04 sec. ft) in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 9 T. 16 N., R. 4 W.B.M.

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

Two diversions, the upper of which is by a small rock dam and thence via 40 ft of 12" steel pipe to a ditch which is 1 ft wide and 1 ft deep. The lower diversion is made by a rock wing wall check ^{2nd} head gate 2 ft. deep x 1 ft. wide x 4 ft. long

5. Water is used for: Irrigation and domestic

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):

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

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

Remarks:

This examination was made on the 20th day of June, 1932

(Signed)

Art. A. Tolman

Examiner.

J. RAPHAEL
Forest Supervisor
Weiser, Idaho
Permit No. 17473

Examination for BEN USE

County WASHINGTON

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.

November 28th
1931

Re: Permit No. 17473

Mr. J. Raphael
Forest Supervisor
Weiser, Idaho

Dear Mr. Raphael:

Your depositions for beneficial use proof and affidavit of publication have been received and will be placed on file without final action until such time when field engineer can make examination. After the examination has been made, you will be notified as to fees before license is issued.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____

PH/LP

17473

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Washington } ss.

Earl Sample, being duly sworn,
deposes and says:

That he is the principal clerk of
THE WEISER SIGNAL, a weekly newspaper published at
Weiser, in the County of Washington and State of Idaho; that
said paper has been and is in general circulation in the county
aforesaid, and in the vicinity of Weiser; that the advertise-
ment, a copy of which is attached hereto, was published in
said newspaper once a week for four consecutive weeks
in the regular and entire issue of said paper during the period
and time of publication, and was published in the newspaper
proper and not in a supplement; that said paper has been
established and regularly published for more than seventy-
eight consecutive weeks prior to the date of first publication
of said advertisement.

Such notice was published in the issue beginning with
October 29, 1931, and ending
with the issue of November 19, 1931

Earl Sample

Fees, \$ 9.40

Subscribed and sworn to before me this 26 day
of November, 1931

Geo. L. Larrick
Notary Public, Residing at Weiser, Idaho.

My Commission Expires....., 19.....

Notice for Publication.

Notice of Proof Application of Water to Beneficial Use

Notice is hereby given that at 10
a. m. on the 26th day of November,
1931, at Weiser, Idaho, County of
Washington, State of Idaho, be-
fore E. W. Horner, Notary Public,
proof will be submitted of the ap-
plication to beneficial use of 0.1
cubic feet per second of the waters
of Brownlee Creek in accordance
with the terms and conditions of
Permit No. 17473 heretofore issued
by the Commissioner of Reclama-
tion of the State of Idaho.

The name and postoffice address
of the person or corporation hold-
ing said permit are United States
Forest Service, Department of Ag-
riculture.

The use to which said water has
been applied is irrigation and do-
mestic purposes.

The amount applied to beneficial
use is 0.1 second feet.

The place where said water is
used (if for irrigation, give full
and accurate description of the
lands irrigated) Portions of the
NW 1/4 SW 1/4, and the SW 1/4 SW 1/4,
Sec. 9, T. 16 N., R. 4 W., B. M.

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

The right to take water from
such works is based upon Permit
No. 17473.

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

The date of the priority which
said user is prepared to establish
is 1887.

R. W. FARIS,
12-15 Commissioner of Reclamation

17473

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 17473

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. J. Raphael, Weiser, Idaho. Forest Supervisor, Weiser National Forest.

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

Ans. Forest Service, U. S. Department of Agriculture.

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

Ans. Permit No. 17473, dated June 22, 1931. Date of priority - 1887.

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

Ans. Brownlee Creek, 1650' and 2100' distant from the West $\frac{1}{4}$ corner of Sec. 9, T. 16 N., R. 4 W., 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. Two ditches, total length of both 2178', each 12" wide at bottom; 14" at water line; depth of water 2" to 3". Headgates, width, approximately $8\frac{1}{2}$ ", height 24". Ditch No. 1 capable of carrying 0.06 sec. foot and Ditch No. 2 0.04 second foot of water.

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 irrigating approximately 3.1 acres in NW $\frac{1}{4}$ of SW $\frac{1}{4}$ and approximately 2 acres in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$, Sec. 9, T. 16 N., R. 4 W., B. M. Total of 5.1 acres cultivated meadow land. Sufficient hay is produced to provide feed for horses needed at the station for official use, and pasture after hay is harvested in addition.

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

Ans. - -

17473

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

Ans. 0.1 cubic foot per second.

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.

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

Ans. The Forest Service has used 0.1 cubic foot per second of water and more, in the cultivation of the above described land since 1907, when the land and improvements were secured from a prior claimant and user, who, with his predecessors used that amount of water or more on said land since 1887.

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. The Forest Service has heretofor used 0.1 cubic foot per second of water or more on this land since 1907 by virtue of riparian rights acquired when the land and improvements were acquired from a prior owner and claimant whose right to the use of the water by virtue of beneficial use, dates back to 1887 by his predecessors.

(Sign)

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 Weiser, County of Washington, State of Idaho, on this 26th day of November, A. D. 1931.

E. W. Horner
Notary Public

My commission expires

Nov. 21, 1935

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 17473

Proof of Application of Water to Beneficial Use

Deposition of Witness

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

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

Ans. Verdie Williams age 22 Cambridge
Idaho.

Ques. 2. Are you acquainted with United States Dept. of Agriculture ^{Forest Ser}
holder of Permit No. 17473? How long have you known him and where does he reside?

Ans. Yes

Ques. 3. Have you read or heard read said Permit No. 17473 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. Brownlee Creek. Ditch #1. 2100' and ditch #2
1650' distant from west 1/4 corner of Sec. 9, T. 16 N. R. 4 W. B.M.
Washington Co.

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. 0.1 cubic feet per second.

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

Ans. Irrigation. Brownlee Ranger Station.
The NW 1/4 of SW 1/4 Sec. 9, T. 16 N. R. 4 W. B.M. 3.1 acres.
The SW 1/4 of SW 1/4 Sec. 9, T. 16 N. R. 4 W. B.M. 2 acres.
Cultivated meadow. Hay raised for horsefeed for horses
Maintained at this Station. No hay available for purchase
in this vicinity.

17473

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. *This area slopes gradually to the creek, has productive soil was cleared of sage brush & small timber 0.1 cubic feet per second*

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. *I have seen the water in use for three seasons.*

(Signed) *Verdine Williams*

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 CAMBRIDGE, IDAHO, County of _____, State of Idaho, on this day of *24th November*, A. D. 19*31*.

My commission expires *6/8/32*

[Signature]
Notary Public.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 17473

Proof of Application of Water to Beneficial Use

Deposition of Witness

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

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

Ans. Horace J. Burr. age, 54 years. Cambridge Idaho
Forest Ranger

Ques. 2. Are you acquainted with United States Dept. of Agriculture, Forest Service, the holder of Permit No. 17473? How long have you known him and where does he reside?

Ans. Yes.

Ques. 3. Have you read or heard read said Permit No. 17473, 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. Bromley Creek. Ditch #1 2100' and ditch #2
1650' distant from West 1/4 corner of Sec. 9, T. 16N. R. 4W. B.M.
Washington Co.

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. 0.1 Cubic feet per second.

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

Ans. Irrigation. Bromley Ranger station.
The NW 1/4 of SW 1/4. Sec. 9, T. 16N. R. 4W. B.M. 3.1 acres
The SW 1/4 of SW 1/4 Sec. 9, T. 16N. R. 4W. B.M. 2 acres
Cultivated meadow. Hay is scarce in this vicinity, and is
necessary for feed for horse used and maintained at this
station. if not grown it would be necessary to haul it 15 to
20 miles over roads not to good. 17473

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. *This area slopes gradually to the creek, has productive soil, was cleared of sage brush & small timber. 11 cubic feet per second*

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. *I have navigated this land covered by these two ditches the past 6 seasons.*

(Signed)

Horace J. Burr

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 ~~CAMBRIDGE, IDAHO~~ County of *Washington* State of Idaho, on this day of *24th November*, A. D. 19*31*.

My commission expires

6/8/32

Dr. [Signature]
Notary Public.

17473

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO,

November 17, 1931

Mr. E. W. Horner
Notary Public
Weiser, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 17473

DEPOSITION OF PERMIT HOLDER, DEPOSITIONS OF TWO WITNESSES.

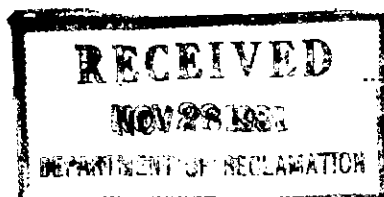
In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of rights:

1. On December 22, 1931, 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 10:00 A.M. November 26, 1931 before E. W. Horner

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

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

Yours truly,



R. W. FARIS
Commissioner of Reclamation.

17473

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO,

November 17, 1931

Mr. E. W. Horner
Notary Public
Weiser, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 17473

DEPOSITION OF PERMIT HOLDER, DEPOSITIONS OF TWO WITNESSES.

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November 26, 1931 before E. W. Horner

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

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

Yours truly,

R. W. FARIS
Commissioner of Reclamation.

Permit No. 17473

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO,

County of Washington

} ss

U.S. Forest Service, By

J. Raphael, Forest Supervisor

, 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. 17473, and that his postoffice address is Weiser, Idaho State of Idaho.

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

Third: That the point of diversion of said water is 1650' and 2100' distant from the West 1/4 corner of Sec. 9, T. 16N., R 4 W., B.M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Dec. 22, 1931, 19.....

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

Sixth: That on the date above mentioned, the works constructed under said permit were ~~(or)~~ ~~fully~~ completed and consisted of the following:

I. Kind of works: two ditches 2178' in length with headgates for each
(Reservoir, dam, ditch, flume, pipe or otherwise.)

ditch.

II. Dimensions of work:

(a) Height of dam ----- feet, length of dam at top ----- feet, length of dam at bottom ----- feet. Material used in construction -----

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

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

(c) Size of headgate: Width 8 1/2" ~~XXX~~, height 24" ~~XXX~~

(d) Condui~~XXXX~~ditch width at bottom 12" ~~XXX~~, width at water line 14"

(State whether ditch, flume or pipe.)

~~XXX~~ depth of water 2-3" ~~XXX~~; diameter of pipe ----- inches, average grade per mile is 1 to 3/4 ~~XXX~~. Length of conduit is 2178' ~~XXX~~.

Seventh: That said works are capable of conducting to the place of intended use 0.1 second feet of water.

Eighth: That water appropriated under said permit is available for 5.1 acres of land described as follows: portions of the NW 1/4 SW 1/4 and the SW 1/4 SW 1/4, Section 9 T. 16 N., R. 4 W., B.M.

Ninth: Remarks: That the above works and improvements have been completed and in use for a number of years. The south side ditch was constructed in 1910. The North side ditch was constructed possibly as early as 1887.

J. Raphael
Forest Supervisor
(Sign here)

Subscribed and sworn to before me this 20th day of October, 1931

My commission expires

Nov. 21, 1931

E. S. Schornick
Notary Public.

17473

September 29th
1931

Mr. J. Raphael
Forest Supervisor
Weiser, Idaho

Dear Sir:

With reference to your letter of September 26th, we are enclosing blank forms numbers 10, 11, and 6, as you requested. In addition we are sending you 1 form number 16 (deposition of holder) and two copies of form number 17 (deposition of witnesses). Please have forms 16 and 17 properly filled out and return to this office.

When these forms have been received by this department, properly filled out, they will be placed on file without final action until the examination can be made by our field engineer, at which time you will be further advised as to fees.

It will be necessary for an affidavit of publication to accompany the depositions when they are returned to this office.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____

PH/LP
Encls.

17473

PAUL S. WARE, PRESIDENT

EARLE SAMPLE, SECRETARY-TREASURER

THE WEISER SIGNAL

By SIGNAL PUBLISHING CO., Inc.
WARE & SAMPLE, MANAGERS

WEISER, IDAHO

Oct. 27, 1931

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

Dear Sir:

We have received your notice of publication for U. S. Forest Service, Dept. of Agriculture, Weiser, Idaho, and it will be given the required number of insertions beginning October 29th. We will also send paper containing first publication as instructed.

We wish to thank you very much for this business.

Yours very truly,
Signal Publishing Co.,

Ware & Sample

ES:L

Mgrs.

17473

RECEIVED

OCT 28 1931

DEPARTMENT OF RECLAMATION

17473

October 22, 1931

Re: Permit 17473

Mr. J. Raphael
Forest Supervisor
Weiser, Idaho

Dear Mr. Raphael:

We have mailed your notice of proof of application of water to beneficial use for publication to the Weiser Signal.

We will mail depositions, one holder and two witnesses, to E. W. Homner, Notary Public, about November 20th in ample time for making proof.

Certificate for completion of works will be issued upon receipt of the \$5.00 fee.

Very truly yours,

R. W. PARIS
Commissioner of Reclamation

By _____

PH/LP

17473

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date October 22, 1931

Weiser Signal
Weiser, Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to November 26, 1931, the date set for proof, the expense of the publication to be paid by the applicant, U. S. Forest Service, Dept. of Agriculture, Weiser, Idaho

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

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

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

17473

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
WEISER NATIONAL FOREST



ADDRESS REPLY TO
FOREST SUPERVISOR
AND REFER TO

WEISER, IDAHO

Oct. 20, 1931

L-Stations
Weiser
Brownlee R.S.
Approp. of Water
Permit No. 17473

Commissioner of Reclamation,

Boise, Idaho.

Dear Mr. Faris:-

The following papers in connection with proof of application of water to beneficial use - Permit No. 17473 issued to the U. S. Dept. of Agriculture, Weiser National Forest, Weiser, Idaho, are being submitted:

Form 11, authority to publish notice, in duplicate; Form 10 - Notice for Publication, in duplicate; Form 6 - Proof of Completion of Works, in duplicate; Departmental Form 1053 - Advertising Order; Departmental Form 1054 - Public Voucher for Advertising - original and memorandum; and Departmental Form 200 - Notice to Publisher - showing the form in which the advertisement is to be set up and Form 1034 - Public Voucher in the amount of \$5.00, made payable to the Department of Reclamation, as proof of fees.

It is our understanding that Form 16 - Deposition of Holder, and Form 17 - Deposition of Witnesses, are to be submitted after the advertisement has run the required period of time and the deposition of the holder has been made as required before proper officials, which according to our information received from Mr. Wood, Civil Engineer at Weiser, who has handled a number of proof cases cannot be made until at the expiration of the advertisement. If, perchance, this is not right, please advise and Form 16 and 17 will be submitted without delay.

The publication should be submitted to the Weiser Signal with our Form 1053, Advertising Order and Forms 1054 and 1054a - Public Voucher for Advertising, together with Form 200 - Notice to Publisher, showing the set up of the advertisement is to take. This is a departmental requirement and will be required to enable us to pay for the advertising.

Very sincerely yours,

17473

J. H. [Signature]
Forest Supervisor.

Encs.

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
WEISER NATIONAL FOREST



ADDRESS REPLY TO
FOREST SUPERVISOR
AND REFER TO

WEISER, IDAHO

September 26, 1931

L
Stations-Weiser
Brownlee R.S.
Appropriation of Water

Commissioner of Reclamation,
Boise, Idaho

Dear Sir:

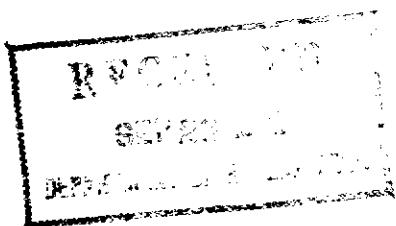
Reference is made to your notice dated September 21 calling for submission of proof of completion of works, and proof of application to beneficial use under permit No. 17473, dated June 22, 1931.

Form No. 5 "Instructions , Proof of Completion of Works" states that information in regard to submission of proof of application to beneficial use will be furnished upon request. We would appreciate receiving such instructions.

We would also appreciate having two extra copies of Forms No. 10, 11, and 6, in order that our file in the case may be complete.

Very truly yours,

J. H. [Signature]
Forest Supervisor



17473

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) October 19, 1931

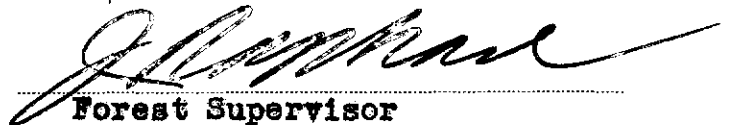
(P. O.) Weiser, Idaho

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

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



Forest Supervisor

U.S. Forest Service

Dept. of Agriculture

(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.

17473

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

Notice is hereby given that at 10 a. m. on the 26th day of Nov, 1931,
at Weiser, Idaho, County of Washington, State of Idaho,
before E.W. Horner Notary Public, proof will be submitted
of the application to beneficial use of 0.1 cubic feet per second of the
waters of Brownlee Creek in accordance with the terms and conditions of
Permit No. 17473 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.....
United States Forest Service, Department of Agriculture

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

The amount applied to beneficial use is 0.1 second feet

The place where said water is used (if for irrigation, give full and accurate description of the lands
irrigated) portions of the NW $\frac{1}{4}$ SW $\frac{1}{4}$, and the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 9, T. 16 N.
R. 4 W., BM

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

The right to take water from such works is based upon Permit No. 17473

The source of supply from which such water is diverted is Brownlee Creek

The date of the priority which said user is prepared to establish is 1887

17473
Commissioner of Reclamation.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

September 21, 1931

Forest Supervisor
Weiser, Idaho

Dear Sir:—

I enclose herewith blank notice of proof of application of water to beneficial use under your permit No.**17473**....., which should be filled out and returned to this office at least 60 days before the date upon which you wish to make proof. The date for proof, as set out in your permit, is Dec. 22, ...**1931** and, if proof is submitted subsequent to said date, your priority will be brought down a length of time equal to the time elapsing between the date proof should have been made and the date proof is actually made.

Yours truly,

R. W. FARIS
~~GEO. N. CARTER~~
Commissioner of Reclamation.

17473

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Forest Supervisor
Weiser, Idaho

Boise, Idaho,

September 21, 1931

Dear Sir:—

Under the terms of your permit No. 17473 you are required to complete your diversion works on or before Dec. 22, 1931. 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,

R. W. FARIS
Commissioner of Reclamation.

17473

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

17473

Permit No. ~~U.S. FOREST SERVICE~~
Weiser, Idaho

Boise, Idaho,

JULY 1, 1931

Dear Sir:

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

R. W. FARIS

17473
~~17478~~

Commissioner of Reclamation.

U. S. Dept. of Agric. - Forest Service

