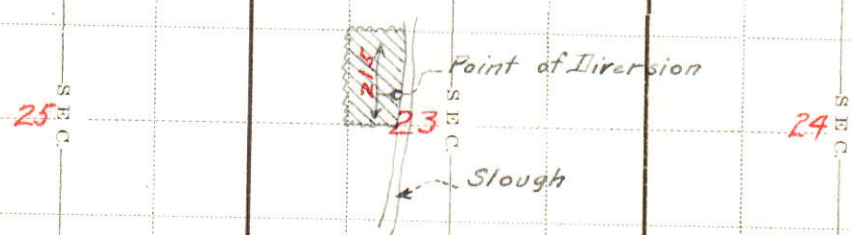


NAME OF APPLICANT Frank R. Hyland

#14502
Beneficial Use

(9/21/22)
#



Affidavit of Publication

STATE OF IDAHO, }
County of Washington } ss.

LB Gurness, being duly sworn,
deposes and says:

That he is the Publisher of
WEISER AMERICAN, 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 advertisement, 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 every
number of said paper during the period and time of publi-
cation, and was published in the newspaper proper and
not in a supplement; that said paper has been established
and regularly and continuously published for more than
seventy-eight weeks last past previous to the first publi-
cation of this notice. Such notice was published in the

issues beginning with Dec 1, 1921,

and ending with the issue of Dec 22, 1921

Fees, \$

Subscribed and sworn to before me this 24 day

of January, 1922

W. G. Swendsen
Notary Public, Residing at Weiser, Idaho.

My Commission Expires Dec 8th, 1923

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

Notice is hereby given that at 2:00
p. m. on the 7th day of January, 1922,
at City of Weiser, County of Wash-
ington, State of Idaho, before Lot L.
Feltham a notary public, at 32 East
Commercial street, proof will be sub-
mitted of the application to beneficial
use of one second foot, cubic feet per
second of the waters of Buttermilk
Slough, called Crystal Lake, in ac-
cordance with the terms and condi-
tions of Permit No. 14502 heretofore
issued by the Commissioner of Recla-
mation of the State of Idaho.

The name and postoffice address of
the person or corporation holding said
permit are Frank R. Hyland, at Wei-
ser, Idaho.

The use to which said water has
been applied is irrigation and domes-
tic purposes.

The amount applied to beneficial
use is one second foot of water.

The place where said water is used
(if for irrigation, give full and ac-
curate description of the lands irri-
gated), all of that portion of the SE $\frac{1}{4}$
NW $\frac{1}{4}$, Sec. 23 in Twp. 10 N., in R. 5 W.,
of Boise Meridian in Idaho, lying west
of Buttermilk Slough, being 21.5 acres,
more or less.

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

The right to take water from such
works is based upon Permit No. 14502.

The source of supply from which
such water is diverted is Buttermilk
Slough.

The date of the priority which said
user is prepared to establish is Janu-
ary 2nd, 1920.

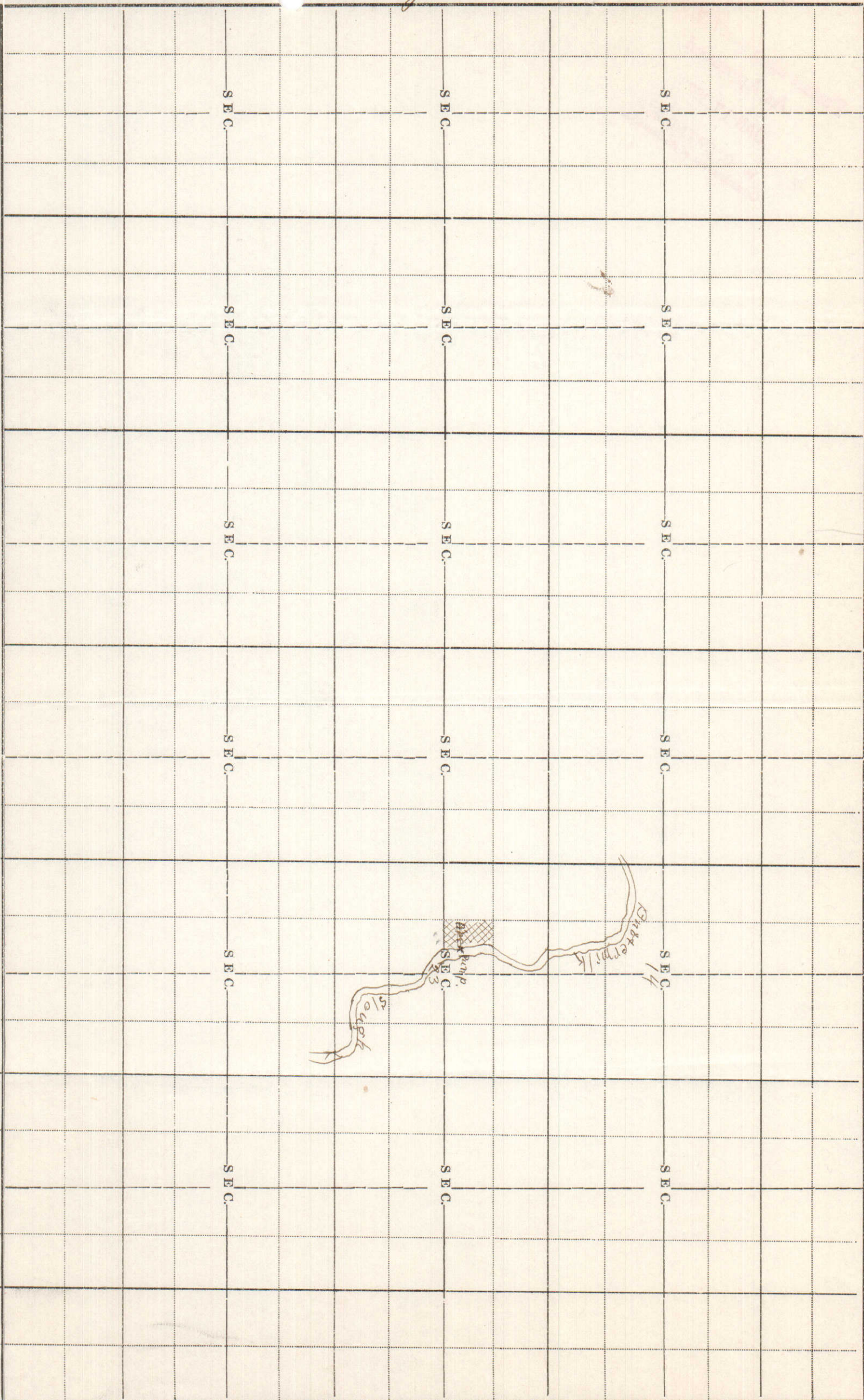
W. G. SWENDSEN,
dit4 Commissioner of Reclamation.

14502

NAME OF APPLICANT

Frank R. Hyland

Township 10 N. Range 5 W. 13 M.



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

14502

State of Idaho
License and Certificate of Water Right

Water License No. 14502

Amount 0.43 Sec. Ft.

Water District No.

Priority January 2, 1920

THIS IS TO CERTIFY that **FRANK R. HYLAND**
of **Weiser, Idaho**, made application for a permit to appropriate the
public waters of the State of Idaho, dated **January 2**, 19 **20**; that Permit No. 14502
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1 second feet, was issued thereunder on **December 31**, 19 **20**, showing that said works
were completed on the **20th** day of **November**, 19 **20**; and that on the **7th**
day of **January**, 19 **22**,

FRANK R. HYLAND

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 **Buttermilk Slough**
(**Crystal Lake**), a tributary of **no stream**, for the purpose of **irrigation and domestic**
use, under Use Permit No. 14502 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 **3682**, on the **17th** day of **August**, 19 **37**;
The right hereby confirmed dates from **January 2**, 19 **20**;
The Point of Diversion is located
in the **SE ¼ NW ¼**, Sec. **23**, Tp. **10 N.**, R. **5 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 **0.43**
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 N.	5 W.	23	SE ¼ NW ¼	21.5	21.5
The land to which this right has been made appurtenant is now owned by Burt F. White , of Weiser, Idaho . (See Permit)					

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use
herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at **Boise, Idaho**,
this **17th** day of **August**, 19 **37**.

(SEAL)

R. W. FARIS
Commissioner of Reclamation

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

67-2124

Application No. 20600
Permit No. 14502
District No. 41-A

1. Name of Applicant: **Frank H. Hyland.**

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:
- (b) Treasury stock:
- (c) Bonds to be issued:
- (d) Other resources:

2. Quantity of water claimed: **one (1)** cubic feet per second.

3. Source of water supply: **Buttermilk Slough now/** known as **Crystal Lake** which is a tributary of **no stream.**

4. Location of point of diversion: feet distant from the

corner of Section , T. , R. , B. M., and is in the **SE $\frac{1}{4}$** of **NW $\frac{1}{4}$**
of Section **23** , T. **10 N.** , R. **5 W.** , B. M., County of **Washington.**

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: **Electrical power plant and pump and pipe line.**

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

10. Size of headgate: Width **9 inch intake/** ~~xxx~~ ^{pipe} lift **12 ft.** ~~xxx~~
all pipe line 8 inch. pipe.

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

Diameter of pipe **8** inches; length of conduit **200 ft.** ~~xxxx~~

Average grade per mile **flat about $\frac{1}{2}$ inch to rod.** ~~xxxx~~

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

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

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

15. (a) Is reservoir to be used? **None.** 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.

Frank R. Hyland. Applicant.

By

Agent.

Commissioner of Reclamation

Date of first receipt at office of ~~State Engineer~~ Commissioner of Reclamation 9:00 A. M. Jan. 2, 1920.

Returned to applicant for correction

Corrected application received

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

The number of this permit is 14502

Recorded in Book 51 Page 14502 Approved January 17, 1920.

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

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

Work to begin on or before **March 17, 1920**

and to continue diligently and uninterruptedly to completion,

unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before July 17, 1920.

The whole of said work to be completed on or before January 17, 1921.

Beneficial use of water appropriated in accordance herewith, to be made on or before **January 17, 1922.**

Witness my hand this 17th day of January, 1920.

W. G. Swendsen

State Engineer

Commissioner of Reclamation.

Remarks:

14 Twp	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
10 N.	5 W.	23					21.5												21.5
Buttermilk Slough(Crystal Lake) is what was once a high-water arm of Snake River. It was cut off from the Snake River by the R. R. embankment and grade when the Oregon Short Line Ry. was built and since said time has filled from springs and seep from the surrounding country and from waste from irrigation ditches. The point of appropriation in this case is on the lands of applicant. No particular spring is hereby located, but just the supply coming and being stored up in the Slough. gravel These lands are deposits in / beds and requires a large amount of water for each acre to successfully irrigate crops thereon. Proof Completion of Works Made: November 20, 1920 Certificate issued: Dec. 31, 1920. Permit No. 14502 CERTIFICATE OF COMPLETION OF WORKS TO ALL WHOM IT MAY CONCERN: This is to certify that Frank H. Hyland, of Weiser, County of Washington, and State of Idaho, the holder of Permit No. 14502, issued upon Application No. 20600, bearing date of priority of January 2, 1920, authorizing the diversion of 1.0 second feet of the waters of Buttermilk Slough (also known as Crystal Lake), County of Washington, 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 1.0 second feet of the waters of Buttermilk Slough (known as Crystal Lake); that the point of diversion of said waters is in the SE¼NW¼, Sec. 23, T. 10 N., R. 5 W., B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Part of the SE¼NW¼, Sec. 23, T. 10 N., R. 5 W., B. M. Witness my hand this 31st day of December, A. D. 1920. W. G. Swendsen, Commissioner of Reclamation. By: S. T. Baer. Deputy,																			

QUIT CLAIM DEED

THIS INDENTURE, Made this 31st day of October in the year of our Lord nineteen hundred and thirty-six

BETWEEN Eva K. Chapman, a widow, of Weiser, County of Washington, State of Idaho, the party of the first part, and Bert F. White of Weiser, County of Washington, State of Idaho, the party of the second part.

WITNESSETH, That the said party of the first part, for and in consideration of the sum of One dollar and other good and valuable consideration lawful money of the United States of America, to her in hand paid by said party of the second part, the receipt whereof is hereby acknowledged, has remised, released, and forever quit-claim, and by these presents does remise, release and forever quit-claim unto the said party of the second part, and his heirs and assigns forever, all the following described real estate situated in the County of Washington, State of Idaho, and bonded and particularly described as follows, to-wit:

Lot No. 30 of Southern Idaho Land Company's Orchard and Garden Tracts as shown by the recorded plat thereof on file in the office of the County Recorder of Washington County, Idaho, being a part of the southeast quarter of the northwest quarter of Section Twenty-three (23) in Township Ten (10) North of Range Five (5) West of Boise Meridian, containing 21.5 acres, more or less, together with the pumping plant used to pump water onto said lands from Buttermilk Slough, Except however a strip of land 15 feet wide off of the north end of said Lot number 30 previously deeded to Sarah C. and Ray E. Reed.

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof;

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances, unto the party of the second part, and to his heirs and assigns forever.

IN WITNESS WHEREOF, the said party of the first part has hereunto set her hand and seal the day and year first above written.

Signed, Sealed and Delivered in the Presence of) EVA K. CHAPMAN (Seal)
)

STATE OF IDAHO,)
: ss.
County of Washington)

On this 1st day of November, 1936, before me, the undersigned, a notary public in and for the State of Idaho, personally appeared Eva K. Chapman, a widow, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(SEAL)

F. B. LLOYD
Notary Public,
Residing at Weiser, Idaho

My commission expires March 15, 1937.

Received and filed for record in the Department
of Reclamation at Boise, Idaho at 11:00 A. M.,
June 4, 1937.

R. W. FARIS
Commissioner of Reclamation
By P. L. H.

EXECUTRIX'S DEED

THIS INDENTURE, Made this 7th day of November, 1936, between Eva K. Chapman, the duly appointed, qualified and acting executrix of the Last Will and Testament of Edmond W. Chapman, deceased, late of the city of Weiser, county of Washington, state of Idaho, and Bert F. White of the county and state aforesaid, party of the second part,

WITNESSETH: That WHEREAS, That after due and legal notice thereof first had and given in the manner provided by law, which specified that on and after Saturday the 24th day of October, 1936, the said executrix would sell at private sale to the highest and best bidder for cash, the lands and premises hereinafter described, particularly describing said lands and premises, and which notices in all respects complied with the requirements of the statutes of the State of Idaho respecting notices of sale of personal property at private sale, and copies of which notices were posted in three (3) conspicuous places in the county of Washington, State of Idaho, on the 8th day of October, 1936, and remained posted until after the 24th day of October, 1936, and a copy of which notice was published in the Weiser Signal in the issues of October 8th, October 15th and October 22nd, 1936, the undersigned received written bids for the lands and premises hereinafter described as specified in said notices, and

WHEREAS, The bid of Bert F. White in the sum of Twenty-five hundred (\$2500.00) dollars was the highest and best bid received, and

WHEREAS, The said Bert F. White was the highest and best bidder for said lands and premises, said executrix accepted the said bid of the said Bert F. White in the sum of Twenty-five hundred (\$2500.00) dollars, and

WHEREAS, the Probate Court of Washington County, Idaho, upon due and legal return of her proceedings under said sale so made by the said party of the first part, on the 24th day of October, 1936, after making said sale, and upon due and legal notice of at least ten (10) days given as the law requires, did on the 7th day of November, 1936, make an order confirming said sale and directing conveyance to be executed to the party of the second part, a certified copy of which order of confirmation was recorded in the office of the County Recorder of Washington County, Idaho, within which the said land so sold is situate, which said order of confirmation is now on file and on record in the Recorder's Office and hereby referred to and made a part of this indenture;

NOW, THEREFORE, The said Eva K. Chapman, executrix of said Last Will and Testament of the said Edmond W. Chapman, deceased, as aforesaid, the party of the first part, pursuant to the said order of said Probate Court and for and in consideration of the sum of Twenty-five hundred (\$2500.00) dollars lawful money of the United States of America, to her in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed and by these presents does grant, bargain, sell and convey unto the party of the second part, his heirs, and assigns forever, all the right, title and interest and estate of the said Edmond W. Chapman, deceased, at the time of his death, and also all the right, title and interest that said estate by operation of law or otherwise may have acquired, other than, or in addition to, that of said Edmond W. Chapman, at the time of his death, in and to the following described lands and premises, situate in the county of Washington, State of Idaho, to-wit:

Lot No. 30 of Southern Idaho Land Company's Orchard and Garden Tracts as shown by the recorded plat thereof on file in the office of the County Recorder of Washington County, Idaho, being a part of the southeast quarter of the northwest quarter of Section Twenty-three (23) in Township Ten (10) North of Range Five (5) West of Boise Meridian, containing 21.5 acres, more or less, together with the pumping plant used to pump water onto said lands from Buttermilk Slough, EXCEPT however a strip of land 15 feet wide off of the north end of said Lot #30 previously deeded to Sarah C. and Ray E. Reed.

Together with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining;

TO HAVE AND TO HOLD all and singular the above mentioned and described lands and premises together with the appurtenances, to the party of the second part, his heirs, assigns, administrators and executors.

IN WITNESS WHEREOF, The party of the first part, executrix as aforesaid, has hereunto set her hand and seal the day and year first above written.

EVA K. CHAPMAN
Executrix of Last Will and Testament
of Edmond W. Chapman, Deceased.

SEAL

STATE OF IDAHO)
 : ss.
County of Washington)

On this 7th day of November, 1936, before me, the undersigned, a notary public in and for said State of Idaho, personally appeared Eva K. Chapman, known to me to be the person whose name is subscribed to the within instrument as the executrix of the Last Will and Testament of Edmond W. Chapman, deceased, and acknowledged to me that she executed the same as such executrix of the Last Will and Testament of the said Edmond W. Chapman, deceased.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(SEAL)

F. B. LLOYD
Notary Public,
Residing at Weiser, Idaho.

Received and filed for record in the Department
of Reclamation at Boise, Idaho, at 11:00 A. M.,
June 4, 1937.

R. W. FARIS
Commissioner of Reclamation
By P. L. H.

LICENSE ISSUED FOR 0.43 SEC. FT.
1.7, P3882

August 18, 1937

Re: Permit 14502.

Mr. Burt F. White
Weiser, Idaho

Dear Sir:

We are herewith enclosing a License and Certificate of Water Right under the above permit to appropriate the public waters of the State of Idaho, together with the Department's Receipt No. 16284 for the \$2.00 fee paid in connection with beneficial use proof under this right.

Very truly yours,

Deputy Commissioner of Reclamation

j1
Encl. (2)

14502



BARZILLA W. CLARK, GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
R. W. FARIS, COMMISSIONER
BOISE

PAUL L. HENRY,
DEPUTY COMMISSIONER

June 26, 1937

Re: Permit No. 14502

R. J. WOOD
Weiser, Idaho

Dear Mr. Wood:

This will acknowledge receipt of Mr. White's money order in the amount of two dollars and fifty cents (\$2.50), for recording deeds in connection with the above permit. Our office receipt is herewith enclosed for that amount.

It will not be necessary for Mr. White to offer any further proof as beneficial use proof was offered under this permit several years ago by the former holder. There is, however, a fee of two dollars (\$2.00) due in connection with final proof and just as quickly as he pays that sum, a license will be issued to him, which will be made appurtenant to the 40-acre tract in question.

Yours very truly,

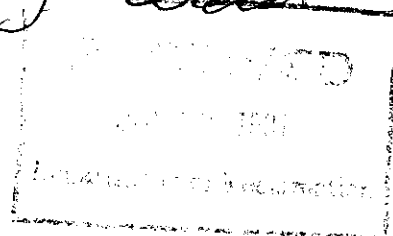
Paul L. Henry
Paul L. Henry
Deputy Commissioner

PLH/ci
Enc.

Please find Inclosed Money Order

for \$2.00

Bert White



14502

June 26, 1937

Re: Permit No. 14502

R. J. WOOD
Weiser, Idaho

Dear Mr. Wood:

This will acknowledge receipt of Mr. White's money order in the amount of two dollars and fifty cents (\$2.50), for recording deeds in connection with the above permit. Our office receipt is herewith enclosed for that amount.

It will not be necessary for Mr. White to offer any further proof as beneficial use proof was offered under this permit several years ago by the former holder. There is, however, a fee of two dollars (\$2.00) due in connection with final proof and just as quickly as he pays that sum, a license will be issued to him, which will be made appurtenant to the 40-acre tract in question.

Yours very truly,

Paul L. Henry
Deputy Commissioner

PLH/c1
Enc.

14502

R. J. Wood
Weiser, Idaho

6/17/37

Am. 15 to Farris
Comm. of Rec.

193

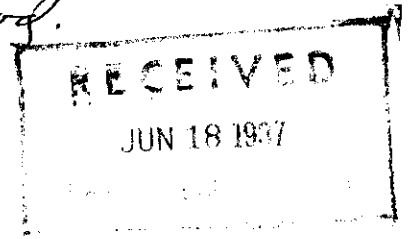
14502 Year Mr Farris

Enclosed please find M.D. for
2.50 recording fee for filing of Best White
What proceedings remain in this
Case. I understand the proof of completion
of Works are made, and the spot of Beneficial
use started. Is it necessary to start all over with
the last proof

Very truly yours

R. J. Wood.

James Leamer - 0.439 (2.00 fee)



14502

June 8, 1937

Re: Permit 14502.

Mr. R. J. Wood
Weiser, Idaho

Dear Mr. Wood:

We are herewith returning the instruments which you filed with this department several days ago for recording under the above permit.

Will you kindly advise Mr. White that he may now proceed with his proof under this permit, and also to remit \$2.50 to this department for such recording.

Very truly yours,

Deputy Commissioner of Reclamation

PLH:jl
Encl.

14502

May 1, 1937

Re: Permit No. 14502

MR. R. J. WOOD
Weiser, Idaho

Dear Mr. Wood:

I have your letter of April 29th and upon examination of the permit records of this office, find that Frank R. Hyland filed an application with this department on January 2, 1920 for a permit to appropriate one second foot of water from Buttermilk Slough. A permit was issued to Mr. Hyland for this quantity of water.

He offered proof of completion of works and a certificate was issued to him on December 31, 1920. He also offered beneficial use proof under this right but never paid the fee of \$2.00 which was due this office and therefore did not receive a license.

If the party for whom you are now inquiring has a deed or other form of conveyance showing the ownership of the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, T. 10 N., R. 5 W., B. M., he could pay the fee and receive the license after a conveyance had been made to him on the records of this office, providing, of course, that such instrument includes the water rights appurtenant to this land. If he is not in a position to do this, he can, of course, make a new filing.

We are herewith enclosing two blank applications to appropriate water as per your request.

Very truly yours

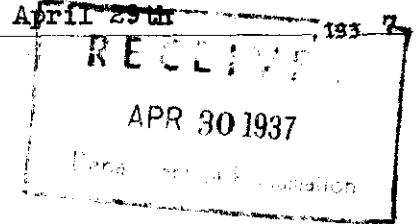
Deputy Commissioner of Reclamation

PLH/ej
encl

14502

R. J. Wood

Boise, Idaho



Mr. R. W. Faris
Commissioner of Reclamation
State House
Boise, Idaho

My dear Commissioner:

I have a party who wishes to make a filing for pumping on
Buttermilk Slough.

I understand there has been a filing made for this particular
piece of property but the one who filed as since died and
the property has gone into other hands.

It is known as Lot 30 of Southern Land Company's Orchard and
Garden Tracts and is in the southeast quarter of the northwest
quarter of Section 23, Township 10 North, Range 5 West of Boise
Meridian.

It was made in the name of F. R. Hyland.

Please let me know what can be done with this and send me fil-
ing papers for this filing and for the filing of a well.

With kindest regards, I am

Very truly yours,

R. J. Wood.

14502

March 26, 1923.

Re: Permit No. 14502.

Mr. B. T. Hall,
Weiser, Idaho.
Route 4.

Dear Sir:-

Replying to yours of the 19th inst.
would say that, before you could be recognized
as the holder of the above permit, the transfer
from Frank R. Hyland to you should be placed on
record in this office.

The check for fee of \$2.00 is herewith returned
with notice relative to payment of fees due the state.
This order became necessary for the reason that so many
banks were failing that the office was continually having
to take up checks that could not be cashed.

Very truly yours,

W. G. SWENDSEN,

Commissioner of
Reclamation.

By
Chief Clerk.

Ch\$2

14502



D. W. DAVIS, GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

W. G. SWENDSEN, COMMISSIONER

BOISE

December 19, 1922.

BUREAU OF WATER RESOURCES
WATER APPROPRIATIONS
CAREY ACT DEVELOPMENT

Re: Permit No. 14502.

Mr. Frank R. Hyland,
Weiser, Idaho.

Dear Sir:-

Upon receipt of fee of \$2.00, water license will be issued
you under your above numbered permit.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

By *B. J. Hall*,
Chief Clerk.

Weiser Ida R# 3

Mar 23. 1923

*Mr W. G. Swendsen. Dear Sir The Land
for which this water license is for now belongs
to me you will find enclosed Ck. for \$2.00
for which please send licence to me. That
is if the Law permits you to do so or not
please let me know what is to be done.
I am sincerely yours
B. J. Hall*

14502

December 19, 1922.

Re: Permit No. 14502.

Mr. Frank R. Hyland,
Weiser, Idaho.

Dear Sir:-

Upon receipt of fee of \$2.00, water license will be issued
you under your above numbered permit.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

By

Chief Clerk.

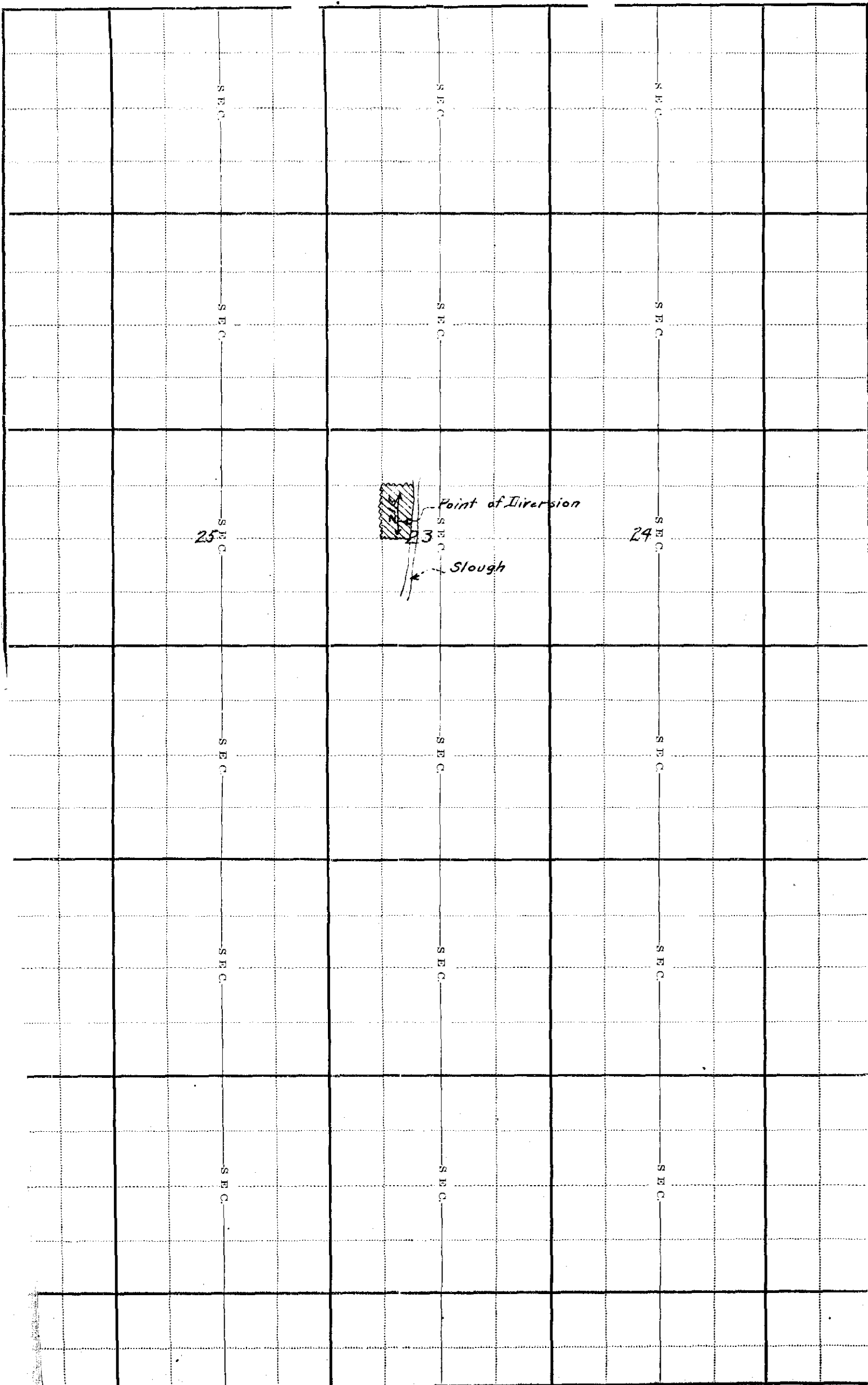
14502

NAME OF APPLICANT *Frank R. Hyland*

Beneficial Use

14502

9/21/22
H



REPORT OF ENGINEER

This proof is for Beneficial UseIn Water District No. 41-A1. State name of applicant and number of permit: Frank R. Hyland & Permit 145022. State source of water supply: Buttermilk Slough, called Crystal Lake3. Location of point of diversion: SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 23, T. 10 N., R. 5 W., B.M.

4. Describe works as they exist, giving dimensions and capacities of same: Parma Water Lift belt connected to Westinghouse 5 H.P. Motor 200 ft 8" wood pipe, 12 ft lift to ditch, all machinery housed. Ditches 2 ft wide on bottom & 1 ft deep

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): All of that portion of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 23, Twp. 10 N., R. 5 W., B.M. lying west of Buttermilk slough, being 21.5 acres, more or less.

21.5 acres irrigated

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

8. How many parties conduct water in this system? 1

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:

Remarks: Land in high state of cultivationThis examination was made on the 21st day of Sept. 1922

(Signed)

Fred S. Tolman

Examiner.

14502

OVER

(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.

Dist. 41-A

Frank R. Hyland
Weiser

Permit 14502

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.

January 10, 1922.

Re: Permits Nos. 14501-14502 - 14509.

Mr. Lot L. Feltham,
Attorney at law,
Weiser, Idaho.

Dear Sir:-

We are in receipt of your letter of the 7th inst., with proof papers under the above numbered permits. These will be placed on file here pending the examinations by our engineer later in the season, at which time the holders will be advised as to fees required.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

By

Chief Clerk.

14502

Affidavit of Publication

STATE OF IDAHO, }
County of Washington } ss.

B. J. Bunness, being duly sworn,
deposes and says:

That he is the Publisher of
WEISER AMERICAN, 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 advertisement, 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 every
number of said paper during the period and time of publi-
cation, and was published in the newspaper proper and
not in a supplement; that said paper has been established
and regularly and continuously published for more than
seventy-eight weeks last past previous to the first publi-
cation of this notice. Such notice was published in the

issues beginning with Dec 1, 1921,

and ending with the issue of Dec 22, 1921

Fees, \$ B. J. Bunness

Subscribed and sworn to before me this 24 day

of January, 1922

W. E. Tatham
Notary Public, Residing at Weiser, Idaho.

My Commission Expires Dec 8th, 1923

14502

Proof of Publication

WEISER AMERICAN

WEISER, IDAHO

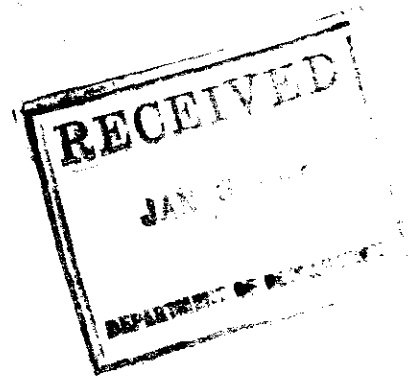
CHARACTER OF NOTICE

DATES OF PUBLICATION

First Publication....., 192.....

Last Publication....., 192.....

No of weekly publications.....



Permit No. 14503**Proof of Application of Water to Beneficial Use**

DEPOSITION OF WITNESS

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

Ans. Ed Burgess, age 57 yrs; Wash Co; farmer; Weiser, Idaho.Ques. 2. Are you acquainted with Frank R. Hyland, the holder of Permit No. 14503? How long have you known him and where does he reside?Ans. about 3 1/2 years since he came to that location.Ques. 3. Have you read or heard read said Permit No. 14503 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. Big Buttermilk slough. place of diversion Big Slough, west side in S.E. 1/4 N.W. 1/4 Sec. 23, T. 10 N. R. 5 W. B.M. Pumping plant and pipeline leading to land.

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

Ans. One second foot of water necessary.

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 purposes. All land on west side of slough in S.E. 1/4 N.W. 1/4 Sec. 23. All been irrigated. Part alfalfa, and rest in grain and garden.

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

Ans. no other purposes.

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. All a sandy loam with gravel under bed. Very porous and

14502

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 seasons of 1920 and 1921 have seen claimant irrigate the same and grow crops thereon.

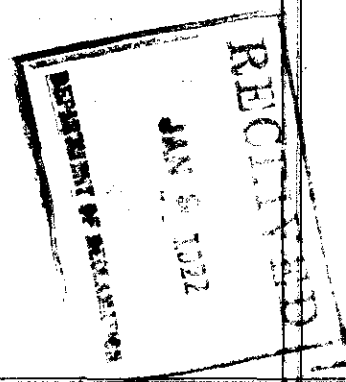
(Sign) Ed. Burgess

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 Weiser, County of Washington State of Idaho, on this 7th day of January A. D. 19 22

W. E. Feltman
Notary Public.

My commission expires Dec. 9th 1923. Notary Public for Idaho,
Residing at Weiser, Idaho.

14502



Permit No. 14502.

Proof of Application of Water to Beneficial Use**DEPOSITION OF WITNESS**

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

Ans. Ray E. Reed, age 33 yrs; Wash Co; farmer; Weiser, Idaho.

Ques. 2. Are you acquainted with Frank E. Hyland, the holder of Permit No. 14502? How long have you known him and where does he reside?

Ans. about 2 1/2 years since he came to that location.

Ques. 3. Have you read or heard read said Permit No. 14502, 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. Big Buttermilk slough. place of diversion Big Slough, west side in S.E. 1/4 N.W. 1/4 Sec. 23, T. 10 N. R. 5 W. B. M. Pumping plant and pipeline leading to land.

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

Ans. One second foot of water necessary.

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 purposes. All land on west side of slough in S.E. 1/4 N.W. 1/4 Sec. 23. All been irrigated. Part alfalfa, and rest in grain and garden.

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

Ans. no other purposes.

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. All a sandy loam with gravel under bed. Very porous and lets water through. Will require one second foot to irrigate readily.

14502

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 seasons of 1920 and 1921 have seen claim-
ant irrigate the same and grow crops thereon.

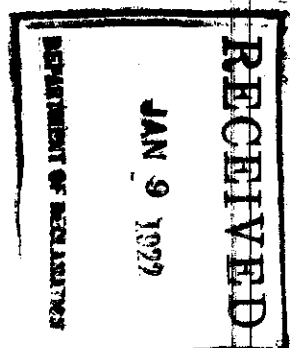
(Sign) Ray E. Reed.

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 Weiser, County of Washington, State of Idaho, on this 7th day of January A. D. 19 22

W. L. Selkman
Notary Public.

My commission expires Dec. 8th 1924 Notary Public for Idaho,
Residing at Weiser, Idaho.

14502



PERMIT NO. 14502**Proof of Application of Water to Beneficial Use****Deposition of Holder**

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

Ans. Frank R. Hyland; age 66 yrs; Wash. Co.; farmer; Weiser, Idaho.

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

Ans. Original appropriator.

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

Ans. 14502; March 17th, 1930. Date of Priority Jan. 3rd, 1920.

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

Ans. Big Buttermilk slough. About 900 ft south from the north 1/4 line of the S.E. 1/4 N.W. 1/4 Sec. 23 on west bank of Slough.

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. 5 hp motor and Parma water lifter, 4 inch, can raise one second foot. Hyland pipeline 200 ftt long and distributing ditches.

Ques. 6. State for what purport water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivate or natural meadow land and the nature of all improvement which have been made as a direct result of said use.

Ans. Irrigation and domestic purposes. 21.5 acres all under irrigation. 6 acres in alfalfa rest of it in grain and vegetables.

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

Ans. none.

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

Ans. One second foot of flow.

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. No one but applicant. Original appropriator.

14502

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

Ans. During the season of 1920 and 1921 entire area watered for irrigation.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and right claimed thereunder.

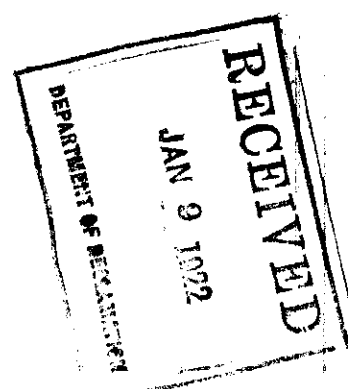
Ans. No other water.

(Sign) Frank B. Hyland

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 7th day of Jan. A. D. 1922

Notary Public for Idaho,
residing at Weiser, Idaho

14502



State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE

BOISE, IDAHO, December 16, 1921.

Frank R. Hyland,

c/o Lot L. Feltham,

Notary Public,
Weiser, Idaho.

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of application of water to beneficial use under Permit No. 14502.

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 the permit holder's rights:

1. On January 7, 1922, 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 Weiser, before Lot L. Feltham, 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,

W. G. SWENDSEN,

Commissioner of Reclamation.

14502

(P. O.) Weiser, Idaho
(Date) Nov 28/1921

Commissioner of Reclamation, Boise.

Dear Sir:

I have your letter of Nov 26/1921 enclosing notice of proof under
Permit No. 14502 which will be published as you request, beginning with our issue of Dec 1

WESTERN AMERICAN,

BY

F B Jones

June 7

14502

Form No. 31.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE

The American,

Weiser, Idaho.

Boise, Idaho,

Nov. 26, 1921.

Dear Sirs:

Enclosed find Notice for Publication under Permit no. **14502** which please publish once a week for four consecutive weeks in your paper. The expense of this publication will be paid by **Frank R. Hyland, or his attorney, Let L. Feltham, of Weiser** to whom you will please furnish proof of publication of this notice on or before date of proof.

Please promptly acknowledge receipt of this notice, and kindly mail me your first issue containing its publication that I may compare it with my records.

Yours truly,
W. G. SWENDSEN,

Commissioner of Reclamation

14502

November 2, 1921.

Permits 14501-14502-14509

Re:

Mr. Let L. Feltham,
Attorney at law,
Weiser, Idaho.

Dear Sir:-

Your letter of the 29th ult., to hand with notices of proof of beneficial use of water under the above numbered permits. Notices for publication will be mailed to the Weiser American for the required four weeks publication prior to January 7, 1922, and deposition blanks will be mailed to you.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

By _____

14502

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 2:00 P.m. on the 7th day of January, 1922.
 at City of Weiser, County of Washington, State of Idaho,
 before Lt. L. Feltham at notary public, at 32 East Commercial Street, proof will be submitted
 of the application to beneficial use of one second foot, cubic feet per second of the
 waters of Buttermilk Slough, called Crystal Lake, in accordance with the terms and conditions of
 Permit No. 14502 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
Frank R. Hyland, at Weiser, Idaho.

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

The amount applied to beneficial use is One second foot of water

The place where said water is used (if for irrigation, give full and accurate description of the
 lands irrigated) All of that portion of the S.E. $\frac{1}{4}$ N.W. $\frac{1}{4}$ Section 23 in T. 10 North in Range 5 West of Boise Meridian in Idaho, lying west of
 buttermilk Slough, being 20.5 acres, more or less.

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

The right to take water from such works is based upon Permit No. 14502

The source of supply from which such water is diverted is Buttermilk Slough.

The date of the priority which said user is prepared to establish is January 2nd, 1920

W. G. Swendsen,
 Commissioner of Reclamation.

92-172-317
41-2

14502

State of Idaho

DEPARTMENT OF RECLAMATION

Mr. Frank H. Hyland,
Weiser, Idaho.

BOISE

October 1, 1921.

Dear Sir:

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your Permit No. **14502**-----, which kindly fill out and return to me at least 60 days before the date upon which you wish to submit proof. The date of the proof is set out in your permit, and if proof is submitted subsequent to that your priority will be advanced a time equal to the difference of the time between the date proof should have been submitted and date it is submitted.

Yours truly,

W. G. SWENDSEN

Commissioner of Reclamation.

14502

January 4, 1921.

Re Permit No. 14502.

Frank H. Hyland,
Weiser, Idaho.

Dear Sir:

Enclosed please find Certificate of
Completion of Works issued under Permit No. 14502,
also receipt of fees paid on same.

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

By _____

14502

Permit No. 14502

STATE OF IDAHO
Department of Reclamation

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO,

County of Washington

ss.

Frank R. Hyland,

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. 14502, 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

Big Buttermilk Slough, now known as Crystal Lake.

Third: That the point of division of said water is in the South east quarter of the north west quarter of Section No. 33, in Township 10 North in Range 5 west of Boise Meridian in Idaho, in Washington County.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by July 17th, 1920. All completed before that time

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 (OKX) fully completed and consisted of the following:

I. Kind of works: 5-hp electrical motor used for power, 4-inch Parma (Reservoir, dam, ditch, flume, pipe or otherwise.) water lifter pump; 170 ft of 8-in pipe, lift about 13 ft. Distributing ditches

II. Dimensions of work: Ditch for distribution about 3 ft wide.

(a) Height of dam none feet, length of dam at top none feet, length of dam at bottom none feet. Material used in construction

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

(b) Capacity of reservoir none acre feet.

(c) Size of headgate: Width none feet, height none feet.

(d) Conduit pipe width at bottom 8-inch feet, width at water line feet, depth of water feet; diameter of pipe 8 inches, average grade per mile is 2 inch feet. Length of conduit is 170 ft. OKX

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

Eighth: That water appropriated under said permit is available for 31 1/2 acres of land described as follows: 31 1/2 acres in the south east quarter of the north west quarter of Section No. 33, in Township No. 10 North in Range No. 5 west of Boise Meridian in Idaho, in Washington County, Idaho.

Ninth: Remarks: That The water was placed on this land during the summer of 1920 and the appropriation is complete. 20 acres of crops irrigated during the summer of 1920. The entire capacity of pumping plant used during the summer at periods when needed.

Frank R. Hyland
(Sign here)

Subscribed and sworn to before me this 20 day of November, 1920.

Ed L. Feltman

Notary Public.
of Idaho.

My commission expires
December 2th, 1923.

Residing at Weiser, Idaho.

14502

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 14502
Frank R. Hyland.
Weiser, Idaho.

Boise, Idaho,
Jan. 17, 1920.

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.

14502

LOT L. FELTH. I,
LAWYER.
Weiser, Idaho.

~~440~~
CT
5
Weiser, Idaho, Nov. 30th, 1920.

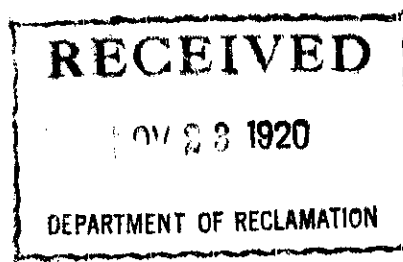
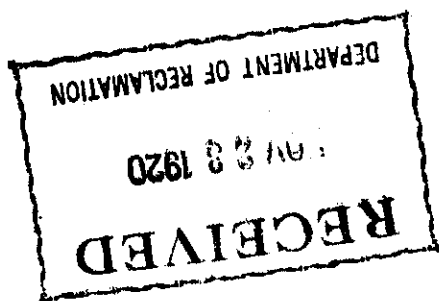
W.G. Swendsen,
Comm. of Reclamation,
Boise, Idaho.

Dear Sir: I am sending you herewith proof of completion of my irrigation works, and check for \$5.00 to pay fee required.

I am ready to make my final proof and ask that you send me blank and instructions so that I may proceed to the making of the last proof.

Respectfully Yours,

J. R. Hyland



14502

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

**INSTRUCTIONS
PROOF OF COMPLETION OF WORKS**

Boise, Idaho, **November 18, 1920**

Mr. Frank E. Hyland,
Wellsboro, Idaho

Dear Sir:—

Under the terms of your permit No. **14502** you are required to complete your diversion works on or before **Jan. 17, 1920** I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

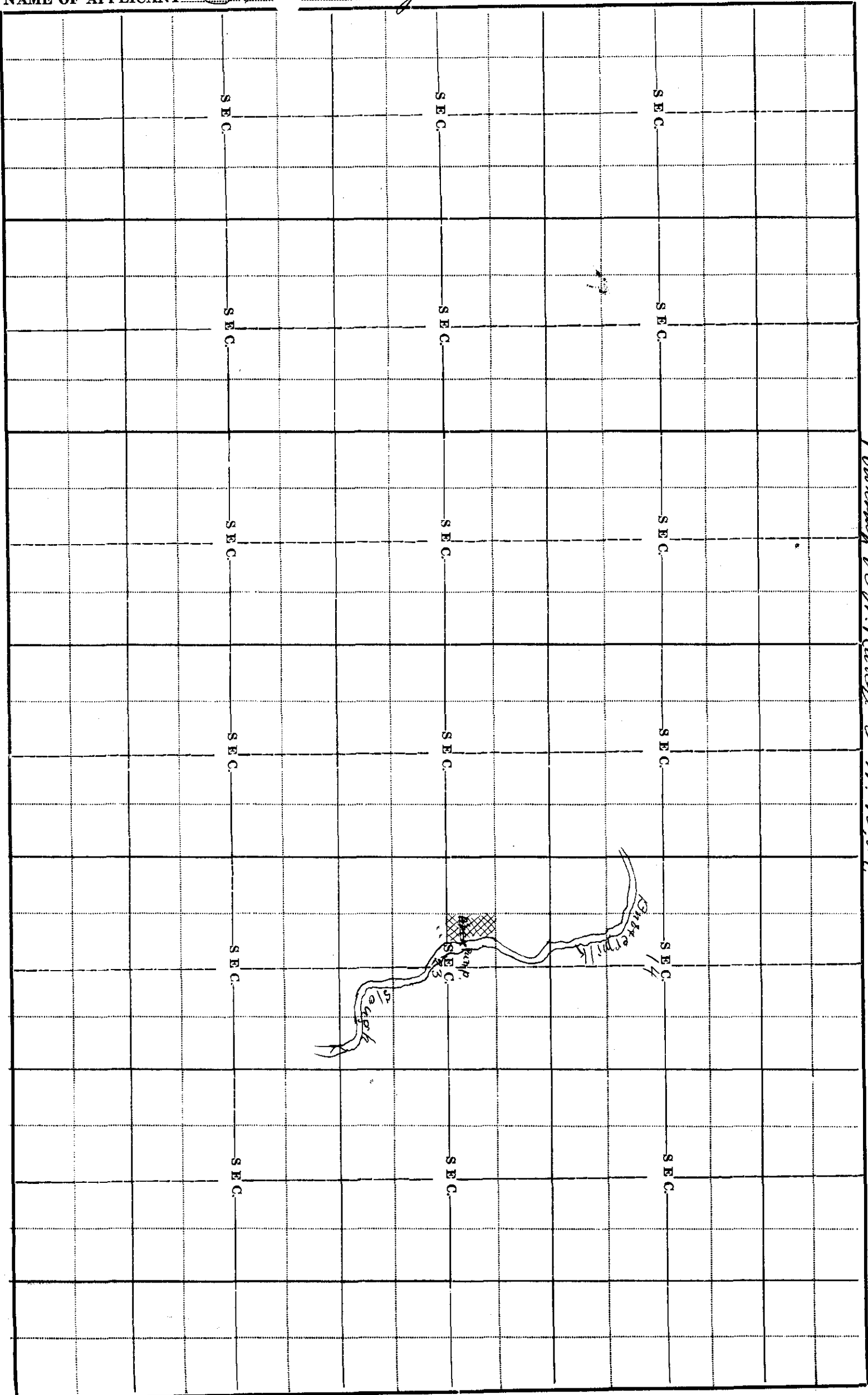
W. G. SWENDS EN.

Commissioner of Reclamation.

14502

NAME OF APPLICANT

Frank R. Hyland



Township 10 N. Range 5 W. 13. M.

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

14502