

file in case

Paid

AFFIDAVIT OF PUBLICATION

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Hattie I. Silva of Shoshone, Idaho, has applied to the Commissioner of Reclamation of the State of Idaho for a certificate authorizing her to transfer the use of 40 second feet of water of Big Wood River from the land which it is now used, i. e. W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ and E $\frac{1}{2}$ SW $\frac{1}{4}$, Section 31, Township 4 S., R. 16 E., B. M., to the following described tract, W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 16, and NE $\frac{1}{4}$, Section 17, Township 5 S., R. 17 E., B. M.

And that, on the 15th day of March A. D. 1924, at 10 A. M., at Boise, Idaho, before the Commissioner of Reclamation, or his authorized agent, the opportunity will be given to any and all persons to appear and present for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

W. G. SWENDSEN,
F 29-M 7 Commissioner of Reclamation.

STATE OF IDAHO. }
County of Lincoln, } ss.

E. L. PLATZ, being duly sworn, says that he is publisher of The Shoshone Journal, a weekly newspaper of general circulation, published at Shoshone, Lincoln County, Idaho; that the notice, a true copy of which is hereunto attached, was published in said newspaper once a week for two consecutive weeks, the first publication being on the 29th day of February, 1924

and the last on the 7th day of March, 1924

E. L. Platz
Subscribed and sworn before me this
7th day of March, 1924
Arthur D. Burt

Notary Public, residence, Shoshone, Ida.
(N. B.—Attach copy of printed notice.)

UNRECORDED

DIRECTORS
FRED W. GOODING, PRES. W. L. BIGGS
BEN DARRAH, VICE PRES. C. A. JOHNSON
P. T. SUTHERLAND C. L. BAKER
N. W. SINE OTTO SCHILD
L. J. MESERVY

J. E. BAILEY, MANAGER
S. T. BAER, ASST. MGR.
SECRETARY-TREASURER

Big Wood Canal Co.

RICHFIELD, IDAHO.

Feb. 20, 1934.

Mr. Geo. H. Carter,
Asst. Comm. of Reclamation,
Boise, Idaho.

Re:-Transfer Case 124.

Dear Sir:-

I have yours of the 19th. inst. in answer to mine with reference to the application of Hattie Silva for the permanent transfer of certain waters of Big Wood River.

You mention Certificate of Transfer No. 79, and again No. 170, transferring an additional 100 inches; perhaps the last Certificate of Transfer is in error, for I assume that your transfer cases are carried numerically, and I note that the pending one bears number 124.

I first wrote you concerning the above on the 15th. inst., expecting a reply by the 18th. or 19th., in time for us to enter a formal protest in the matter, until the same might be fully investigated. I trust from your letter that the application will be re-advertised, as suggested in your next to the last paragraph; in the meantime we will fully know whether or not the proposed transfer will be prejudicial to our interests.

In the 5th. paragraph of your letter, you state that "Otherwater has been purchased from the Idaho Irrigation Company etc." This cannot refer to any recent purchase, for it would be necessary, at any time during the past three years for such a request to be made of the Board of Directors of the Big Wood Canal Company, under the provisions of Chapter 139, Compiled Statutes of Idaho.

After the new publication notice, I will again correspond with you concerning our interests in the matter.

If you are able to give me the old, as well as the new point of Diversion in this case, as requested in my first letter, the same will be appreciated.

Very sincerely yours,


Secy-treas.
Big Wood Canal Co..

RECEIVED

341

AFFIDAVIT OF PUBLICATION

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Hattie I Silva of Shoshone, Idaho, has applied to the Commissioner of Reclamation of the State of Idaho for a certificate authorizing him to transfer the use of 2.4 cubic feet per second of water of Big Wood River, from the land upon which it is now used, i. e. W $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 16, and NE $\frac{1}{4}$ Sec. 17, Twp. 5 S., R. 17 E. B. M., to the following described tract W $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 16, and NE $\frac{1}{4}$ Sec. 17, Twp. 5 S., R. 17 E. B. M.

And that, on the 21st day of February, A. D. 1924, at 10 A. M., at Boise, Idaho, before the Commissioner of Reclamation, or his authorized agent, the opportunity will be given to any and all persons to appear and present for his consideration any reasons why a certificate should not be issued authorizing such transfer.

W. G. SWENDSEN,
F-8-15. Commissioner of Reclamation.

STATE OF IDAHO, }
County of Lincoln, } ss.

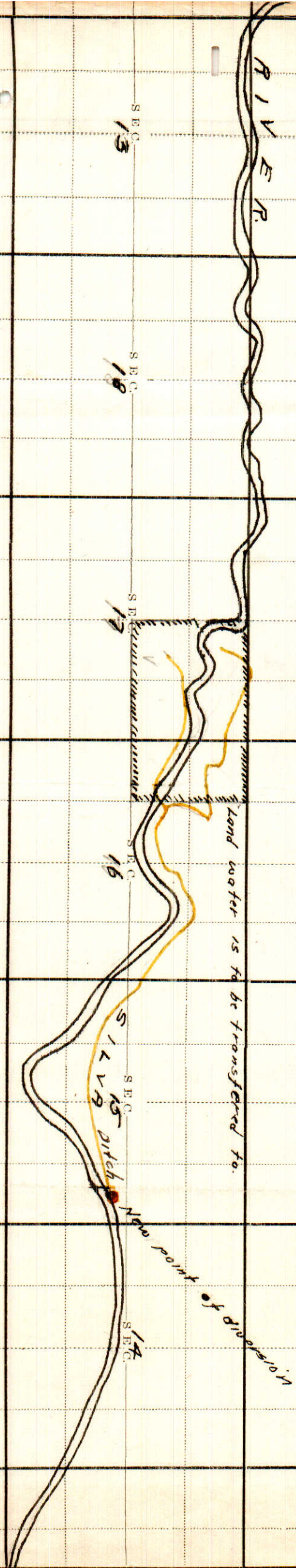
E. L. PLATZ, being duly sworn, says that he is publisher of The Shoshone Journal, a weekly newspaper of general circulation, published at Shoshone, Lincoln County, Idaho; that the notice, a true copy of which is hereunto attached, was published in said newspaper once a week for two consecutive weeks, the first publication being on the 8th day of February, 1924 and the last on the 15th day of February, 1924

E. L. Platz
Subscribed and sworn before me this

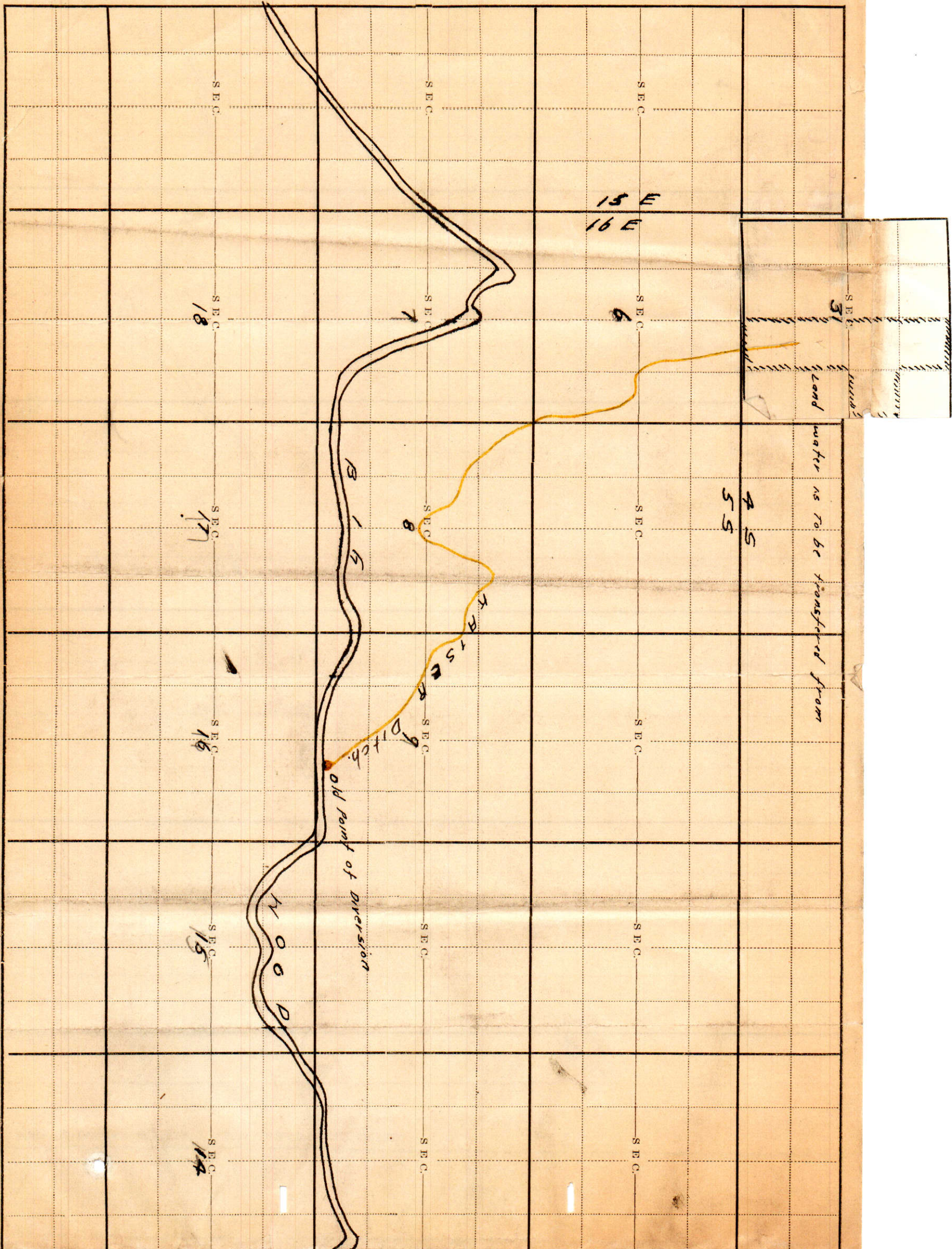
16 day of February, 1924

Notary Public
Notary Public, residence, Shoshone, Ida.
(N. B.—Attach copy of printed notice.)

MICROFILMED



NAME OF APPLICANT.....



LINCOLN COUNTY STATE BANK

GOODING, IDAHO

GEO. W. WEDGWOOD, PRES.
W. H. CANNON, VICE PRES.
H. J. LEYSON, CASHIER

Gooding, Idaho, Aug. 1st 1911.

A. D. Silva Esq.,

Shoshone, Idaho.

Dear Sir:-

I am just in receipt of a letter from the State Engineers Office, Boise, Idaho. in which they acknowledge receipt of the papers I sent in relative to your transfer of Water Right, and in which they state that the \$1.00 Certificate fee has not been paid.

Kindly send a check for \$1.00 payable to A. E. Robinson, State Engineer, to Mr. Robinson at Boise and enclose this letter, on receipt of which your certificate of transfer will be issued to you.

Very Truly,



RECEIVED

AUG 1 1911

OFFICE OF STATE ENGINEER

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Printer's Affidavit of Publication

STATE OF IDAHO, }
COUNTY OF LINCOLN } SS.

Robert H. Stevenson
~~Robert W. Spangler~~

being first duly sworn, deposes and says that he is manager and publisher of The Gooding Herald, a weekly newspaper published in said State and County, that a notice ~~alias~~ summons, of which the annexed is a true copy, was published in the said newspaper for at least 5 days, first insertion commencing on the 22 day of June, 1911, and the last insertion thereof ceased on the 20 day of July, 1911, inclusive.

Cost of publication \$ 7.50

Robert H. Stevenson

Subscribed and sworn to before me this 26 day of July, 1911

Geo W. Wedgwood
Notary Public

My commission expires the 1 day of January, 1913

Notice of Proposed Transfer of Water Right

Notice is hereby given that Arthur D. Silva of Shoshone, Idaho, has applied to the State Engineer of the State of Idaho for a certificate authorizing him to transfer use of one hundred acres of water of Big Wood river from the land upon which it is now used, i. e. W $\frac{1}{2}$ NW $\frac{1}{4}$, section 16, and the NE $\frac{1}{4}$ section 17, township 5S., of range 17E. B. M. to the following described tract: W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, section 31, township 4 S. range 16, E. B. M.

And that on the 22nd day of July, A. D. 1911, at Gooding, Idaho, before the Water Commissioner of this division, or his authorized agent George W. Wedgwood, the opportunity will be given to any and all persons to appear and present for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

Full details of the proposed transfer may be obtained from S. E. Heden, Watermaster of said stream.
RAVENEL MACBETH,
Water Commissioner 2nd. Div.
July 20.

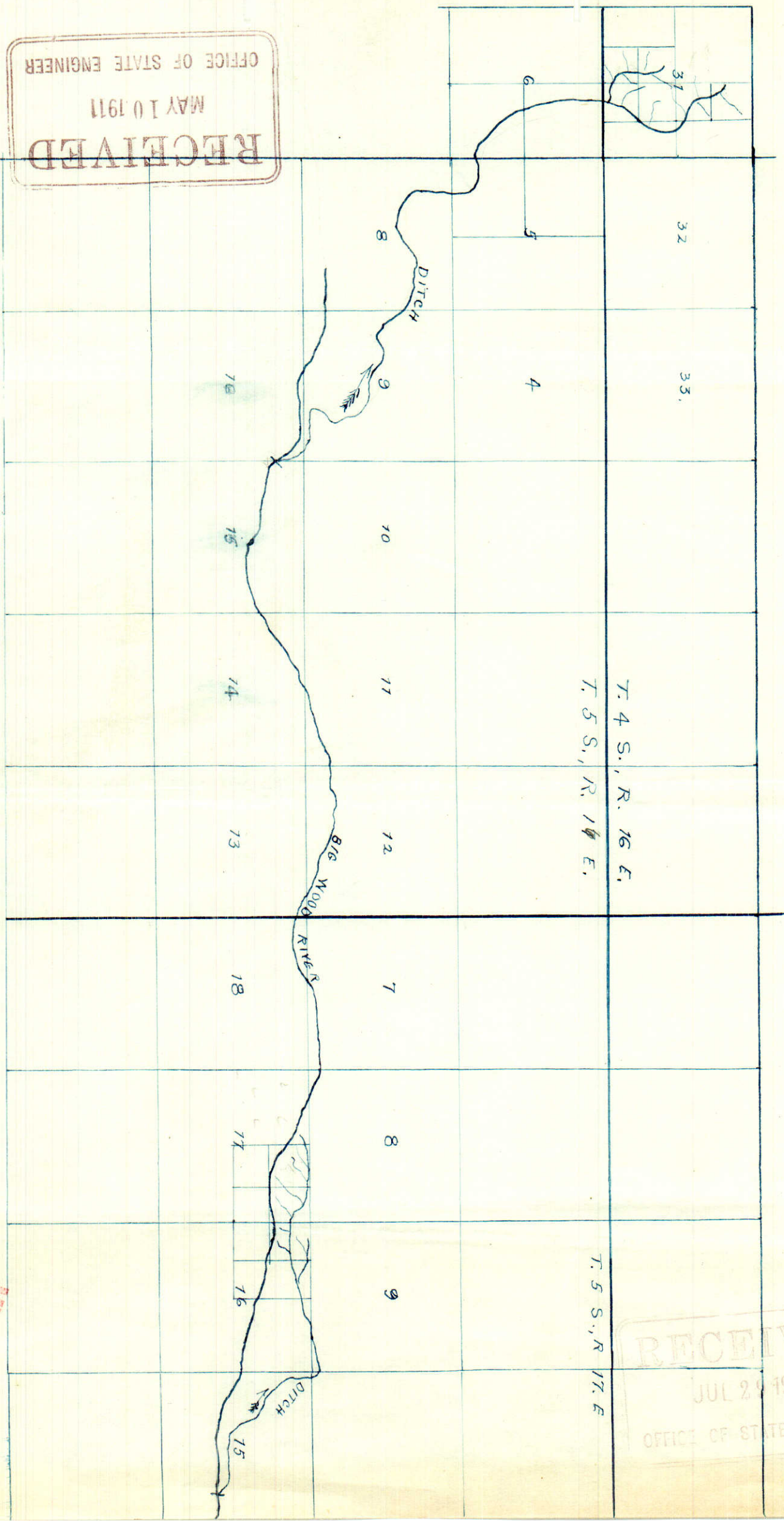
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JUL 29 1911

OFFICE OF STATE ENGINEER

MICROFILMED

RECEIVED
MAY 10 1911
OFFICE OF STATE ENGINEER



T. 4 S., R. 16 E.
T. 5 S., R. 14 E.

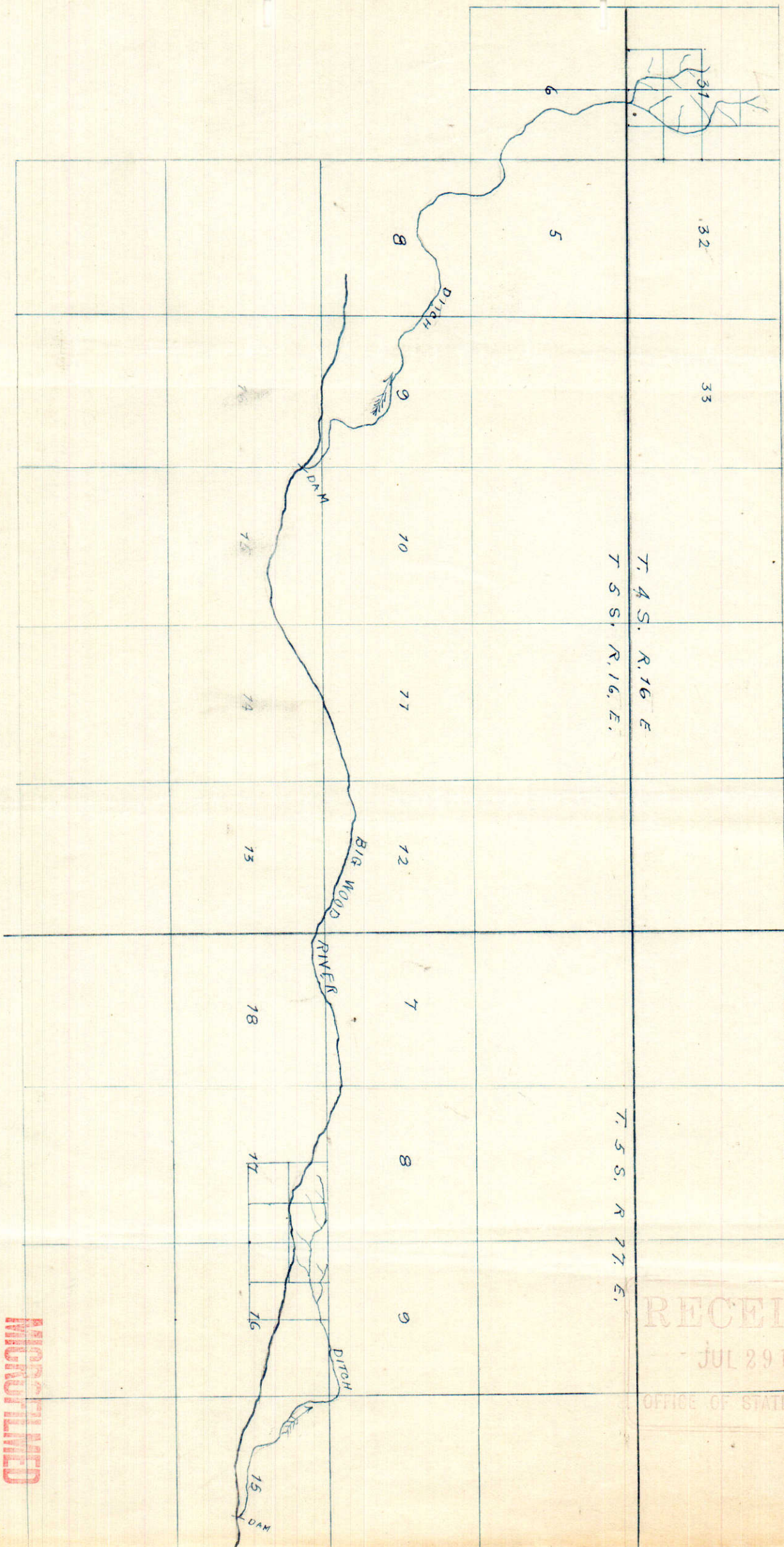
T. 5 S., R. 17 E.

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JUL 29 1911

OFFICE OF STATE ENGINEER

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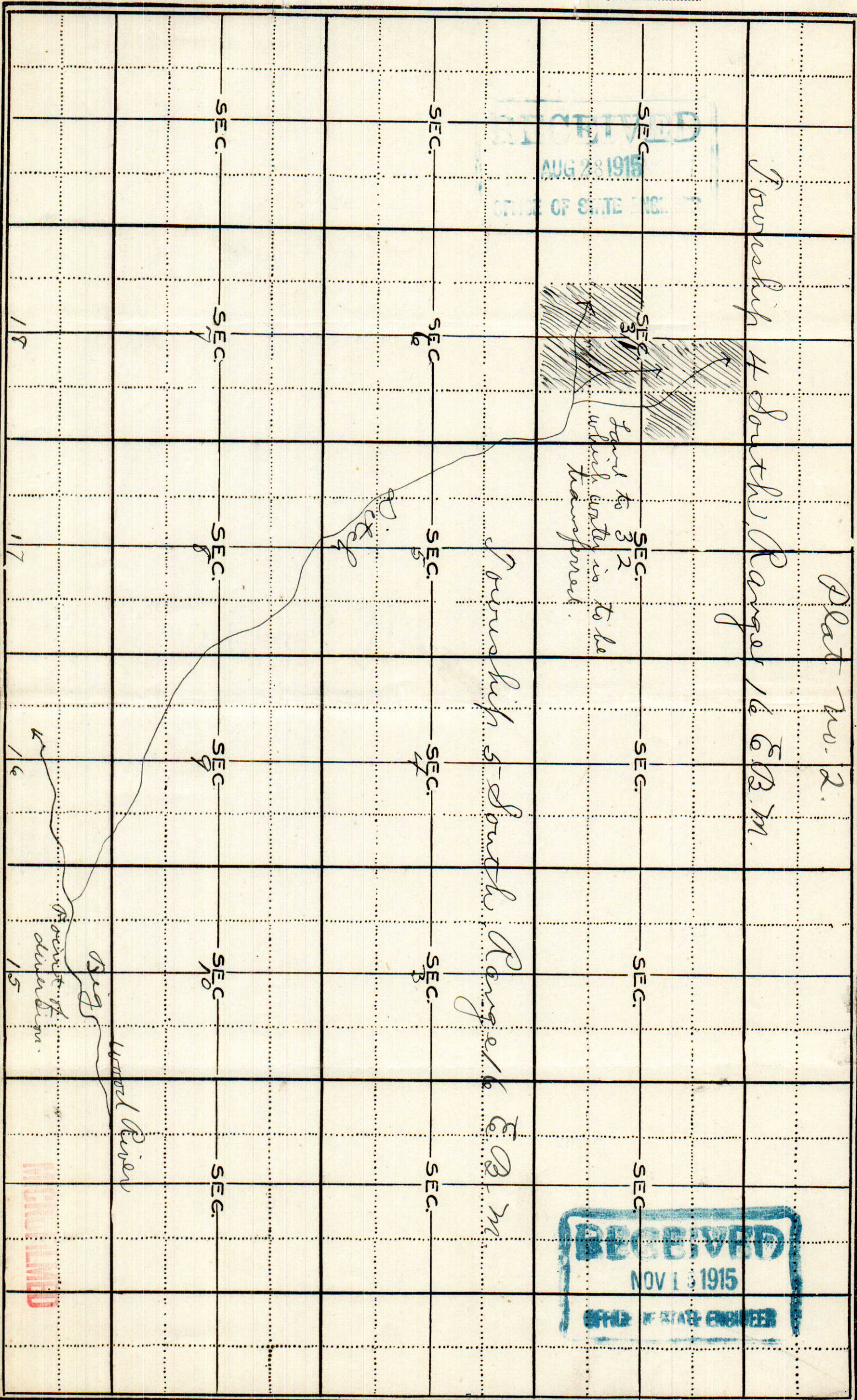
T. 4 S. R. 16 E.
T. 5 S. R. 16 E.

T. 5 S. R. 17 E.

RECEIVED
JUL 29 1911
OFFICE OF STATE ENGINEER

MICROFILMED

Arthur D. Silva



Name of Applicant

Arthur S. Silva

RECEIVED
AUG 28 1915
STATE OF IDAHO

Sheet No. 1.

SEC. 5 South,
Range 17 E.D.M.

RECEIVED
NOV 15 1915
STATE OF IDAHO

SEC. 18
SEC. 17
SEC. 16
SEC. 15
SEC. 14
SEC. 13
SEC. 12
SEC. 11
SEC. 10
SEC. 9
SEC. 8
SEC. 7
SEC. 6
SEC. 5
SEC. 4
SEC. 3
SEC. 2
SEC. 1

hard water is to be
transferred from

SEC. 16 ditch

Point of
diversion

Big
Wood River

MICROFILMED

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
	Silva, Arthur D.	2.8		37-0611
		~~0.27~~		
~~79~~	~~Silva, Arthur D.~~	~~(1.27)~~	~~1.53~~	~~37-0611A~~
~~341~~	~~Silva, Hattie I.~~	~~1.0~~		~~37-0611AA~~
		0		
~~170~~	~~Silva, Arthur D.~~	~~(1.0)~~	~~0.53~~	~~37-0611B~~
~~341~~	~~Silva, Hattie I.~~	~~1.0~~		~~37-0611BA~~
~~341~~	~~Silva, Hattie I.~~	~~0.13~~	~~0.40~~	~~37-0611C~~
79		0		
		~~1.27~~	1.53	
170		0		
		~~1.0~~	1.0	
341		2.54	0.26	

JYH
 Dec 74

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S T A T E O F I D A H O
DEPARTMENT OF RECLAMATION

In the Matter of the Application) of Hattie I. Silva for transfer) of Water Right; Water District) No. 7-A, Case No. 124.)	<u>ORDER GRANTING TRANSFER</u>
---	--------------------------------

WHEREAS, On March 15, 1924, at the Department of Reclamation of the State of Idaho, at Boise, the matter of the application of Hattie I. Silva, for transfer of water right came regularly on for hearing, pursuant to the published notice; and,

WHEREAS, No one appeared, either in person or by affidavit, to protest said application, and the evidence filed by the applicant shows that a greater duty of water would result by reason of the said transfer, and that no one would be injured thereby:

THEREFORE, IT IS HEREBY ORDERED, That the said application be granted, and that the certificate of transfer be issued to the applicant herein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this Department, at Boise, Idaho, this 28th day of March, 1924.

W. G. SWENDSEN,
Commissioner of Reclamation

By *L. H. Carter*
Assistant.

S T A T E O F I D A H O
 DEPARTMENT OF RECLAMATION
 CERTIFICATE OF WATER RIGHT
 Transferred Right No. 341.

37-0611
 37-0612

This is to certify that Hattie I. Silva, of Shoshone, County of Lincoln, State of Idaho, has a right to the use of the waters of Big Wood River, for irrigation and domestic purposes, and that said right has been confirmed by decree of the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Lincoln, in the case of S. C. Frost, et al, Plaintiffs, vs. Alturas Water Co., et al, Defendants, Alfred Budge, District Judge, wherein 2.8 second feet of the waters of Big Wood River, bearing date of priority of April 30, 1891, and 1.6 second feet of the waters of Big Wood River, bearing date of priority of June 2, 1903, in Water District No. 7-A, were dedicated to the $\frac{1}{2}$ NW $\frac{1}{4}$ of Sec. 16, and the NE $\frac{1}{4}$ of Sec. 17, Twp. 5 S., R. 17 E., B. M., said decree being entered on the records of the Department of Reclamation of the State of Idaho at Boise, in Book 3 of Decrees at Page 807; that on August 16, 1911, the State Engineer of the State of Idaho issued Certificate of Transfer of Water Right No. 79, whereby 100 inches of said decreed water was transferred from the above described lands to the $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ and $\frac{1}{2}$ SE $\frac{1}{4}$ Section 31, T. 4 S., R. 16 E., B. M., and that on November 15, 1915, the State Engineer of the State of Idaho, issued Certificate of Transfer of Water Right No. 170, whereby 100 inches of said decreed water was transferred from the first above described lands to the $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, $\frac{1}{2}$ SE $\frac{1}{4}$ and E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 31, T. 4 S., R. 16 E., B. M.; that, upon the application of Hattie I. Silva, for a transfer of water right, made before the Commissioner of Reclamation, said application having been granted, the right to the use of two second feet of the waters of Big Wood River upon the $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 31, T. 4 S., R. 16 E., B. M., is hereby abandoned and a description of the lands to be irrigated under such right and to which the water right hereby confirmed shall by this certificate become appurtenant, for irrigation and domestic purposes, is shown in the following table, limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amount, to-wit:

4.0 sec. ft. dated April 30 1891
 and June 2, 1903

			NW $\frac{1}{4}$		NE $\frac{1}{4}$		SW $\frac{1}{4}$		SE $\frac{1}{4}$		
Twp.	Rge.	Sec.	NW $\frac{1}{4}$	NE $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NW $\frac{1}{4}$	NE $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	Total
5	S	17	E	16-40	40						80
		17				40	40	40	40		160
											<u>240</u>

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

WITNESS, The seal and signature of the Commissioner of Reclamation, of the State of Idaho, affixed at Boise, Idaho, this 28th day of March, 1924.

W. G. SWENDSEN,
Commissioner of Reclamation.

By 
Assistant.

FILE 37-G 37-0611

STATE OF IDAHO
-----OFFICE OF STATE ENGINEER-----

CERTIFICATE NO. 170, AUTHORIZING TRANSFER OF WATER RIGHT.

Permission is hereby granted Arthur D. Silva, of Shoshone, County of Lincoln, State of Idaho, to transfer the use of one hundred (100) inches of the waters of Big Wood River, in the County of Lincoln and State of Idaho, from the lands upon which it is now used, i.e., the West half of the Northwest quarter ($W\frac{1}{2} NW\frac{1}{4}$), Section 16, and the Northeast quarter ($NE\frac{1}{4}$), Section 17, Township 5 South, Range 17 East of the Boise Meridian, to the following described tract, to-wit: West half of Northeast quarter ($W\frac{1}{2} NE\frac{1}{4}$), Southeast quarter of Northeast quarter ($SE\frac{1}{4} NE\frac{1}{4}$), West half of Southeast quarter ($W\frac{1}{2} SE\frac{1}{4}$) and the East half of the Southwest quarter ($E\frac{1}{2} SW\frac{1}{4}$), Section 31, Township 4 South, Range 16 East of the Boise Meridian, said water to be diverted at a point in the Northwest quarter of the Northwest quarter ($NW\frac{1}{4} NW\frac{1}{4}$), of Section 16, Township 5 South of Range 16 East of the Boise Meridian.

The water right appurtenant to the above described lands was adjudged by decree, dated December 17, 1909, of Alfred Budge, Judge of the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Lincoln, in the matter of S. C. Frost, et al., plaintiffs, vs. Alturas Water Company, et al., defendants.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, this 15th day of November, 1915.

J. H. Smith,

(SEAL)

State Engineer.

NOTE: SEE CERTIFICATE OF TRANSFER OF WATER RIGHT NO. 341, WHEREIN WATER IS TRANSFERRED BACK TO THE ORIGINAL LAND.

File 37-6 37-611
37-612

S T A T E O F I D A H O
-----OFFICE OF STATE ENGINEER-----

CERTIFICATE NO. 79. AUTHORIZING TRANSFER OF WATER RIGHT.

Permission is hereby granted ARTHUR D. SILVA, of Shoshone, County of Lincoln, State of Idaho, to transfer the use of one hundred (100) inches of the waters of BIG WOOD RIVER, County of Lincoln, State of Idaho, from the land upon which it is now used, i.e., the West half of Northwest quarter (W2 NW4) Section 16, and the Northeast quarter (NE4) Section 17, Township 5 South, Range 17 East of Boise Meridian, to the following described tract, to-wit: West half of Northeast quarter (W2 NE4), East half of Southwest quarter (E2 SW4), West half of Southeast quarter (W2 SE4), Section 31, Township 4 South, Range 16 East of Boise Meridian.

The water right appurtenant to the above described land was adjudged by decree, dated December 17, 1909, of Alfred Budge, Acting Judge of the Fourth Judicial District of the State of Idaho in and for the County of Lincoln, in the matter of S. C. Frost, et al, plaintiffs, vs. Alturas Water Company, et al, defendants in the following words: "It is ordered, adjudged and decreed, that the several parties, plaintiffs, and defendants herein named, do have judgment respectively for a right to use, for irrigation and other purposes, the following number of inches of water.....

Arthur D. Silva, 140 inches, April 30, 1891, Big Wood River.

" " " ⁸⁰ " June 2, 1903, " " "

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, this sixteenth day of August, A. D. 1911.

(SEAL) A. E. Robinson,
State Engineer

NOTE: SEE CERTIFICATE OF TRANSFER OF WATER RIGHT NO. 341, WHEREIN WATER IS TRANSFERRED BACK TO THE ORIGINAL LAND.

RECORDED

In the District Court of the Fourth Judicial District
of the
State of Idaho, in and for the County of Lincoln.

S. C. Frost, et al.,

Plaintiffs,

vs.

Alturas Water Company, et al.,

Defendants.

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JAN 31 1910

OFFICE OF STATE ENGINEER

DECREE.

This cause coming on to be heard this 6th day of October, 1909, upon the Report of F. J. Cowen, Referee heretofore appointed for the purpose of taking the testimony and making recommendations as to Findings of Fact, Conclusions of Law and Decree, to be entered herein, and the said F. J. Cowen having filed his Report of the testimony taken, and his recommendations as to Findings of Fact, Conclusions of Law, which have heretofore been adopted, and the respective plaintiffs and defendants and cross-complainants appearing herein by their respective counsel, and the court being fully informed and advised in the premises, and having ordered that judgment be entered in accordance with the Report and recommendations of the said Referee, Wherefore, by reason of the law and the Report and Findings of Fact and Conclusions of Law aforesaid,

It is Ordered, Adjudged and Decreed, that the several parties, plaintiffs and defendants herein named, do have judgment respectively for a

Silk, Martin	120 inches.	Aug. 15, 1886.	Big Wood River.
✓ " "	40 "	Apr. 15, 1887.	" " "
Silva, A. I.	145 "	Apr. 1, 1884.	Little Wood River. (Also shares in Big Cottonwood Canal Co.)
Silva, Alice	320 "	May 31, 1903.	Upper Malad River.
✓ Silva, Arthur D.	140 "	Apr. 30, 1891.	Big Wood River. <i>Trans. No. 10</i>
✓ " " "	80 "	June 2, 1903.	" " " <i>Trans. No. 10</i>
Silva, Joe and Anthony	160 "	Apr. 1, 1884.	Little Wood River.
Do.	40 "	May 1, 1889.	" " "
Do.			(Also shares in Big Cottonwood Canal Co.)
✓ Silva, Manuel	155 "	May 31, 1884.	Big Wood River.
✓ " "	135 "	May 10, 1897.	" " "
✓ Silva, Mary	225 "	June 1, 1887.	" " "
Simpson, W. D.	110 "	June 22, 1884.	Little Wood River. (Also shares in Little Wood River Canal Co.)
✓ Sims, William	160 "	May 1, 1884.	Big Wood River.
✓ " "	65 "	May 1, 1891.	" " "
Sing, Quong			(See Quong Sing.)
Skiles, J. W.	150 "	June 15, 1888.	Monumental Creek.
✓ Slater, Charlotte M.	80 "	Apr. 3, 1882.	Big Wood River.
✓ " " "	120 "	Apr. 3, 1895.	" " "
✓ Smidt, Christina	60 "	Apr. 15, 1889.	Rock Creek.
✓ " "	30 "	June 1, 1886.	" "
✓ " "	All of	June 1, 1891.	Smidt Creek.
Smith, C. H.	140 inches.	June 1, 1891.	Three Mile Creek or Four Mile Creek.
Smith, Charles C.	25 "	May 15, 1904.	Aubrey Creek.
" " "	35 "	June 30, 1885.	Butte Creek.
" " "	35 "	June 15, 1887.	" "
Smith, Henry E.	150 "	June 3, 1897.	Butte Creek or <i>700</i> Powers Creek.

March 31, 1924.

Re: Certificate of Transfer
No. 341

Mr. A. D. Silva,
Shoshone, Idaho.

Dear Sir:

We are enclosing herewith Certificate of
Transfer of Water Right No. 341, together with
receipt for fees.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation

By

Chief Clerk.

Encls.

MICROFILMED

341

March 31, 1924.

Re: Certificate of Transfer
No. 341.

Mr. S. H. Chapman,
Shoshone, Idaho.

Dear Sir:

We are enclosing herewith copy of Certificate
of Transfer of Water Right, Hattie I. Silva.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation

Encl.

By
Chief Clerk.

341

Issue 9/10

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270 inches
Orig decreed to, W^2NE Sec 16 and $NE\frac{1}{4}$ of Sec. 17
5S-17E.

b. J. #79. transferred 100 in to W^2NE , E^2SW + W^2SE
Sec 31. T. 4S. R. 16E

b. J. #170 transferred 100 inches to W^2NE ($SENE$)
 W^2SE + E^2SW of Sec. 31. 4S. 16E.

Is therefore transferring Back 200 inches being - to the
orig land to which it was decreed. Says has purchased
rather water from Idaho being 100 - for this land.

100 ft. - 100 ft. - 100 ft.

On Aug 16 - 1911. P. J. J. E. T. #79 -
2100" of said water ^{see} runs
from the above to P. J. J. E. T. #79 and then
on Nov 15 - 1914, the P. J. J. E. T. #79

100 ft. - 100 ft. from the
land just above to

March 15, 1924.

Re: Transfer

Mr. A. D. Silva,
Shoshone, Idaho.

Dear Sir:-

No protests having been filed in this office against your application for transfer of water right, the certificate will be issued upon receipt of \$1.00 fee.

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

By _____
Chief Clerk.

RECORDED

Paid

AFFIDAVIT OF PUBLICATION

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Hattie I. Silva of Shoshone, Idaho, has applied to the Commissioner of Reclamation of the State of Idaho for a certificate authorizing her to transfer the use of 40 second feet of water of Big Wood River from the land which it is now used, i. e. W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ and E $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31, Township 4 S., R. 16 E., B. M., to the following described tract, W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 16, and NE $\frac{1}{4}$, Section 17, Township 5 S., R. 17 E., B. M.

And that, on the 15th day of March A. D. 1924, at 10 A. M., at Boise, Idaho, before the Commissioner of Reclamation, or his authorized agent, the opportunity will be given to any and all persons to appear and present for his consideration any reasons or reasons why a certificate should not be issued authorizing such transfer.

W. G. SWENDSEN,
F 29-M 7 Commissioner of Reclamation.

STATE OF IDAHO. }
County of Lincoln, } ss.

E. L. PLATZ, being duly sworn, says that he is publisher of The Shoshone Journal, a weekly newspaper of general circulation, published at Shoshone, Lincoln County, Idaho; that the notice, a true copy of which is hereunto attached, was published in said newspaper once a week for two consecutive weeks, the first publication being on the 29th day of February, 1924

and the last on the 7th day of March, 1924

E. L. Platz
Subscribed and sworn before me this
day of _____, 1924

Notary Public, residence, Shoshone, Ida.
(N. B.—Attach copy of printed notice.)

Notice of Proposed Transfer of Water Right

Notice is hereby given that Hattie I. Silva of Shoshone
Idaho, has applied to the Commissioner of Reclamation of the State of Idaho
 for a certificate authorizing him to transfer the use of 4.0 second feet
 of the water of Big Wood River
 from the land upon which it is now used, i. e. W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ & E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 21, Twp. 4 S.,
R. 16 E., B.M.,
 to the following described tract W $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 16, and NE $\frac{1}{4}$, Sec. 17, Twp. 5 S., R. 17 E., B.M.

And that, on the 15th day of March, A. D.
1912, at 10 A. M., at Boise, Idaho,
 before the Commissioner of Reclamation, or his authorized agent, the opportunity will be given to any and
 all persons to appear and present for his consideration any reason or reasons why a certificate should
 not be issued authorizing such transfer.

W. G. Swendsen,

Commissioner of Reclamation

February 27, 1924.

Re: Transfer of Water.

Mr. A. D. Silva,
Shoshone, Idaho.

Dear Sir:-

Through the error in making out your application for transfer of water right, for Hattie I. Silva, it will be necessary to publish a new and correct notice. We have accordingly mailed such notice today to the Shoshone Journal for two publications prior to March 15, the new date set for hearing. This application now reads the transfer of 4.0 second feet of water, from the $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ and E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 31, Twp. 4 S., R. 16 E., B.M., to the W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 16, and NE $\frac{1}{4}$, Sec. 17, Twp. 5 S., R. 17 E., B.M.

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

By _____
Chief Clerk.

February 27, 1924.

Re: Silva Transfer.

Publisher, The Journal,
Shoshone, Idaho.

Dear Sir:-

Through an error of the applicant for transfer of water right, it has become necessary to publish a new notice for same. We are accordingly enclosing herewith notice which please publish once a week for two consecutive weeks prior to March 15th, the date set for the hearing. The statement for publication fees should be mailed to Mr. Silva, and your affidavit of publication furnished him prior to the date of the hearing.

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

By _____
Chief Clerk.

Encl.

341

STATE OF IDAHO
DISTRICTS 7-A: 7-B AND 11-AB
S. H. CHAPMAN, WATER MASTER
SHOSHONE

Feb. 25, 1924

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

Dear Sir:

Referring to application of transfer of
A. D. Silva for 120 inches of water, the applicant
advises us that it was his intention to transfer
the same amount of water back as was formerly
transferred under certificates # 79 & # 170 and
that he was under the impression that the amount
was 120 inches; If the applicant is in error
kindly advise him in this regard.

Yours very truly,

S. H. Chapman
Water Master.

Blair Bowler
Ass't.

February 26, 1924.

Re: Transfer Case - 124.

Mr. A. D. Silva,
Shoshone, Idaho.

Dear Sir:

Your letter of February 21 does not coincide with the records of transfers No. 79 and 170 as they appear in this office.

Certificate of transferred water right No. 79 changed the place of use of 100 miner's inches of water from the $W\frac{1}{2}$ of the $NW\frac{1}{4}$, Sec. 16, and the $NE\frac{1}{4}$, Sec. 17, Township 5 South, Range 17 East, to which it was originally decreed, to the $W\frac{1}{2}$ of the $NE\frac{1}{4}$, $E\frac{1}{2}$ $SW\frac{1}{4}$ and $W\frac{1}{2}$ $SE\frac{1}{4}$, Sec. 31, Twp. 4 South, Rge. 16 East.

Certificate of transferred water right No. 170 likewise transferred the place of use of 100 miner's inches of water from the $W\frac{1}{2}$ of the $NW\frac{1}{4}$ of Section 16, and the $NE\frac{1}{4}$ of Section 17, Twp. 5 South, Rge. 17 E.B.M., to the $W\frac{1}{2}$ of the $NE\frac{1}{4}$, $SE\frac{1}{4}$ of the $NE\frac{1}{4}$, $W\frac{1}{2}$ of the $SE\frac{1}{4}$ and the $E\frac{1}{2}$ of the $SW\frac{1}{4}$ Sec. 31, Twp. 4 South, Rge. 16 E.B.M.

Inasmuch as this happened some time ago and I was not at that time in this office, I have no other information relative to the purpose or intent of the second transfer. In any event, it did transfer the second 100 inches of water from the lands in section 16 and 17 - Township 5 South, Range 17 East, to the land in Section 31, Township 4 South, Range 16 East; hence my previous letter to you asking if you desired 200 inches of water to be re-transferred to the land to which it was originally designated by the decree.

It is my suggestion that you consult Mr. S. H. Chapman, water-master for your district, at Shoshone, Idaho, and ascertain what his records show relative to the amount of water which is now appurtenant to the lands in sections 16 and 17, Twp. 5 S, Rge. 17 E.B.M., and to the land in Section 31, Twp. 4 S, Rge. 17 E.B.M.

The reason I asked if you wished to have 200 inches re-transferred is that your pending application for transfer states that you desire to abandon the use of all of said water upon the above described land, which is the land in Section 31.

We must await your further advice before proceeding with this application for transfer.

Very truly yours,

C.C.-S.H. Chapman

GNC-H

Director of Water Resources.

then Retransferring back to the W. 1/2 of Sec.
16 + the N. E. 1/4 of Sec. 17.

Hoping this will give you the information
necessary

Respect.

A. D. Silva

Shoshone

Ida.

100 inches is all that is supposed
be re-transferred, Mr. Disney must have
made a mistake

MICROFILMED

Shoshone Feb. 21st 1924

Geo. M. Carter

Dear Sir

In reply to yours of the 29th will say
since I got your letter I noticed that the
publication in the Shoshone Journal was
wrong, the water was first used on
the $W. \frac{1}{2}$ of Sec. 16 + the $N.E. \frac{1}{4}$ of Sec. 17.
Top. 5 S. R. 17. E B.M. and then transferred
to the $W. \frac{1}{2}$ N.E. $\frac{1}{4}$, S.E. $\frac{1}{4}$, N.E. $\frac{1}{4}$, $W. \frac{1}{2}$ S.E. $\frac{1}{4}$
E. $\frac{1}{2}$ S. W. $\frac{1}{4}$ of Sec. 31, Top. 4 S. R. 16 E. B.M.

February 21, 1924.

Transfer Case - 124

Mr. Stanley T. Baer,
Richfield, Idaho

Dear Sir:

Further reference is made to the matter of the Silva application for transfer of water.

My previous letter was not in error in stating that certificates of transferred water rights Nos. 79 and 170 have heretofore been granted. The number of a transfer case bears no relation to the number which eventually may be given a certificate of transferred water right.

As I have heretofore indicated to you, it will be necessary to re-advertise this application for transfer and set another date for hearing, of which you will be given due notice.

The statement contained in paragraph five of my letter of February 19, relative to the purchase of additional water from the Idaho Irrigation Company, was merely a quotation from the application for transfer filed by Mattie Silva. As to the date of this alleged purchase of Idaho Irrigation Company water stock, I have no information.

The application for transfer states that the water in question is now diverted from Big Wood River in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 15, Township 5 South, Range 16 East, B.M. In case this application is granted, the new point of diversion will be in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 15, Township 5 S., Range 17 East, B.M., according to statements in the application.

I trust that this information is sufficient for your needs at the present time.

Very truly yours,

Assistant Commissioner.

GNC-H

RECORDED

341

DIRECTORS
FRED W. GOODING, PRES. W. L. BIGGS
DEN BARRAN, VICE PRES. C. A. JOHNSON
P. T. BRYAN C. L. BAKER
H. W. BIRGE OTTO SCHILD
L. J. RESERVY

J. E. BAGLEY, MANAGER
S. T. BAKER, ASST. MGR.
SECRETARY-TREASURER

Big Wood Canal Co.

RICHFIELD, IDAHO.

Feb. 20, 1934.

Mr. Geo. H. Carter,
Asst. Comm. of Reclamation,
Boise, Idaho.

Re:-Transfer Case 134.

Dear Sir:-

I have yours of the 15th. inst. in answer to mine with reference to the application of Hattie Silva for the permanent transfer of certain waters of Big Wood River.

You mention Certificate of Transfer No. 79, and again No. 170, transferring an additional 100 inches; perhaps the last Certificate of Transfer is in error, for I assume that your transfer cases are carried numerically, and I note that the pending one bears number 134.

I first wrote you concerning the above on the 15th. inst., expecting a reply by the 18th. or 19th., in time for us to enter a formal protest in the matter, until the same might be fully investigated. I trust from your letter that the application will be re-advertised, as suggested in your next to the last paragraph; in the meantime we will fully know whether or not the proposed transfer will be prejudicial to our interests.

In the 5th. paragraph of your letter, you state that "Otherwater has been purchased from the Idaho Irrigation Company etc." This cannot refer to any recent purchase, for it would be necessary, at any time during the past three years for such a request to be made of the Board of Directors of the Big Wood Canal Company, under the provisions of Chapter 139, Compiled Statutes of Idaho.

After the new publication notice, I will again correspond with you concerning our interests in the matter.

If you are able to give me the old, as well as the new point of Diversion in this case, as requested in my first letter, the same will be appreciated.

Very sincerely yours,

Secy-treas.
Big Wood Canal Co..

RECEIVED

341

February 19, 1924.

Re: Transfer Case 124.

Mr. Stanley T. Baer,
Richfield, Idaho.

Dear Sir:

Reference is made to the application for transfer of water recently made by Mattie I. Silva of Shoshone, Idaho.

Due to the peculiar wording in the application, and to the fact that this water has previously been transferred, the Notice of Publication did show, in fact, the same description of land, both as that from which the water was being transferred and that to which it was to be transferred.

Briefly, the history of this case is as follows: There was originally decreed to the $W\frac{1}{2}$ of the $NE\frac{1}{4}$, Sec. 16, and the $NE\frac{1}{4}$, Sec. 17, Twp. 5 S., Rge., 17 E., 220 miners inches of water by the Frost decree. Certificate of transfer No. 79, transferred 100 inches of this right to the $W\frac{1}{2}$ of the $NE\frac{1}{4}$, $E\frac{1}{2}$ $SW\frac{1}{4}$ and the $W\frac{1}{2}$ of the $SE\frac{1}{4}$, Section 31, Twp. 4 S., Rge. 16 East. Certificate of transfer, No. 170, transferred 100 additional inches to the $W\frac{1}{2}$ of the $NE\frac{1}{4}$, $SE\frac{1}{4}$ of the $NE\frac{1}{4}$, $W\frac{1}{2}$ of the $SE\frac{1}{4}$ and $E\frac{1}{2}$ of the $SE\frac{1}{4}$, of Sec. 31, Twp. 4 S., Range 16 East.

The intent of the pending application for transfer is to return this water to the land to which it was originally decreed. Hence the wording of the Notice of Publication stated that the water was originally decreed to the $W\frac{1}{2}$ of the $NE\frac{1}{4}$, Section 16, and the $NE\frac{1}{4}$ of Section 17, and that it was therein sought to transfer this water to the same land.

The application for transfer further states that "Other water has been purchased to irrigate this land from the Idaho Irrigation Company, as it, the land, is under its system and naturally irrigates from this system." From which I take it the meaning is that water has been purchased from the Idaho Irrigation Company to irrigate the land in Section 31, Twp. 4 South, Rge. 16 East.

I take it that it will be necessary to re-advertise this application and am therefore writing the applicant to that effect.

I thank you for calling our attention to this apparent inconsistency in the Notice of Publication.

Very truly yours,

February 19, 1924.

Re: Transfer Case 124.

Hattie I. Silva,
Shoshone, Idaho.

Dear Madam:

Reference is made to your pending application for transfer of certain Wood River water.

Due to the peculiar wording in the application, and to the fact that this is a re-transfer of water, the Notice of Publication does not convey its intended meaning, inasmuch as the same land is mentioned both as that from which the water is being taken and that to which it will become appurtenant should this certificate of transfer be granted. The application should have shown the land to which the water was, at present, appurtenant, as the land to which it was transferred by virtue of your two previous applications, known in our office as certificates of transferred rights, No. 79 and 170.

The records of these transfers indicate that 100 inches was transferred in each case, therefore, you are now making application to have 200 inches re-transferred to the land to which it was originally dedicated by the decree. Inasmuch as these facts are not at all clear from the application itself, and possibly our assumptions may be wrong, will you kindly advise us in this matter before we proceed further.

In any event, it will be necessary to re-advertise the Notice of the hearing, and we will proceed to do so as soon as we have definite information from you as to our deductions in the case.

Very truly yours,

Director of Water Resources.

GNC-H

RECEIVED

241

Application for Transfer of Water Right

STATE OF IDAHO,

County of Lincoln

ss.

Hattie I. Silva

, being first duly sworn, deposes and says:

her

That ~~his~~ name is Hattie I. Silva

; that he is of lawful age, a citizen

of the United States and of the State of Idaho, and that his postoffice address is

Shoshone, Idaho,

That ~~he~~ is the owner and using a certain water right, bearing date of priority of #1 June 2 1903

for 1.6 cubic feet per second of the waters of Big Wood River

County of Lincoln, State of Idaho, decreed to Arthur D. Silva

by decree of Judge Alfred Budge, of the Fourth Judicial District of the State of

Idaho, in and for the County of Lincoln, in the case of S. C. Frost et al. Plaintiffs

vs. Alturas Water Co. et al. defendants, said decree bearing date of December 17, 1909,

(or obtained by virtue of license No. 10 issued by the State Engineer of the State of Idaho,

dated 1909, bearing date of priority of 1903,

for the purpose of irrigating the following described lands situate, lying and being in Water District No. 7-a

in the County of Lincoln and State of Idaho, to-wit: W $\frac{1}{2}$ NW $\frac{1}{4}$ of Sec. 16 and NE $\frac{1}{4}$ of Sec. 17, Twp. 5 S. R. 17 E. B. M. and thereafter 100 inches of

(said water was transferred through the office of the State Engineer to the W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, and E $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 31, Twp. 4 S. R. 16 E. B. M.

and is the person (~~XXXXXXXXXXXXXXXXXXXX~~

the ~~XXXXXXXX~~) to whom such right so issued, or has become the owner thereof in the following manner, i. e.

by transfer

as per abstract of title of said water right hereto attached and made a part of this statement;

That said waters are now diverted from said stream at NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 15, Twp. 5 S.

Range 16 E. B. M.

and conducted to the above described lands through a ditch

as per map hereto attached and of this affidavit made a part;

That affiant and petitioner desires to abandon the use of all

of said water upon the above described land, and to convey and use same upon the following tract situate,

lying and being in the County of Lincoln and State of Idaho, to-wit:

W $\frac{1}{2}$ NW $\frac{1}{4}$ of Sec. 16, and NE $\frac{1}{4}$ of Sec. 17, Twp. 5 S. Range 17 E. B. M.

That his reasons for desiring to make such transfer are as follows: The ditch leading to the land upon which this 100 inches of water is used and to which it is now appurtenant, is several miles long and with very little fall, and the 100 inches after it has been diverted into this ditch, largely wastes away and very little of reaches the land to be irrigated, and is a great loss.

MICROFILMED

229124

That he intends to divert and convey said.....100 inches.....of water to the tract of land last above described in the following manner, to-wit: By diverting it from Big Wood River in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 15, Twp. 5 S. Range 16 E. B. M., into a ditch about 2 miles long, 6 feet wide, on bottom, and 2 feet deep, with a capacity of at least 400 inches, and which will convey the water to the land with very little waste as it has a good fall.

as set forth upon the map hereto attached; and that no one will be injured by such transfer.

WHEREFORE, Affiant and Petitioner prays that the State Engineer of the State of Idaho issue to him the proper certificate authorizing such transfer, and give proper notice of the same to the Water Master of Water District No., in accordance with the provisions of Section 3264 of the Revised Codes of Idaho, as amended.

Hattie J. Silva

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

A. D. 1913.

Mary M. Guymon

By Notary Public for the State of Idaho,
residing at Shoshone, therein.

Applicant will answer the following questions:

From what stream is the water diverted? Big Wood River

Where is the diversion point located? At present is in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 15, Twp. 5 S. R. 16 E. B. M. But will be diverted in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 15, Twp. 5 S. R. 17 E. B. M.
Through what ditch is it now conducted? A private ditch.

How much land is now irrigated by the water sought to be transferred? 280 acres about 160 of which is irrigable.

Give the description: W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, and E $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 31, Twp. 4 S Range 16 E. B. M.

What is the total amount of water in inches, or second feet, dedicated to said land? 100 inches.

What kind of crops are being raised? Grain and alfalfa.

How much water per acre is now required to irrigate said land? About 5/8 of an inch.

What will be the effect on the land now irrigated, if the use of water on it is discontinued?

Other water has been purchased to irrigate this land from the Idaho Irrigation Co. as it the land is under its system and naturally irrigates from this system.
From what stream will the water be diverted if the transfer is made? Big Wood River.

Give location of new point of diversion. SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 15, Twp. 5 S. Range 17 E. B. M

Through what ditch will it be conducted after transfer? A private ditch.

How much water will be required per acre to irrigate the land to which this water is transferred?

It is sandy and should have an inch to the acre.

Do you claim any other water right for the land from which you seek to abandon the use of this water? Yes

Is there now any other water right for the land to which you seek to make this transfer? Yes, a partial one, but not sufficient to properly irrigate it.

Signed

Hattie J. Silva

Applicant.

STATE OF IDAHO,

County of Lincoln

} ss.

Horace A. Sandy

and

Manuel Ineas

being first duly sworn, each for himself, and not one for the other, deposes and says: That he is a citizen of the United States and of the State of Idaho, residing at Shoshone, Idaho, or Lincoln County, that he is a user of water from Big Wood River, in Water District No. _____, County of Lincoln, State of Idaho; that he has read or heard read the foregoing affidavit and petition of Hattie I. Silva, and is familiar with its allegations, and with the water right and lands therein mentioned and described and is not in any way interested in either, nor in any way related to said petitioner; that the statements and allegations therein made are true of his own knowledge; and that no one will be injured by the granting of the certificate authorizing the transfer therein petitioned.

Horace A. Sandy
Manuel Ineas

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

A. D. 1923.

Mary M. Guymon

Notary Public for the State of Idaho,
residing at Shoshone, therein.

STATE OF IDAHO,

County of Lincoln,

} ss.

I, Sewell H. Chapman, Watermaster of Big Wood River

Water District No. 2A, County of Lincoln, State of Idaho, whose postoffice address

is Shoshone, Idaho, have read or heard read the foregoing affidavit and petition

of Hattie I. Silva, and, of my own knowledge, believe the same to be

true as to all matters therein alleged, and that no one will be injured by the transfer prayed to be authorized;

and I hereby endorse my approval of said petition, and request that the State Engineer issue the certificate of

transfer as petitioned; or (do not approve of the issuance of the certificate of transfer prayed for) for the

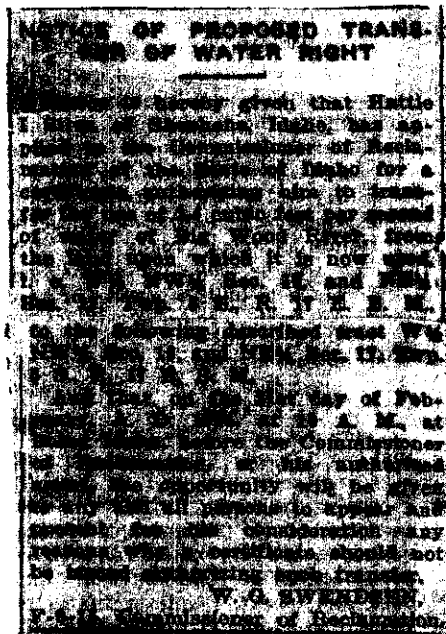
following reasons: _____

S. H. Chapman

Watermaster, Dist. No. 2A

Dated at Shoshone, Idaho, Idaho, this 20th day of Sept., 19 23.

AFFIDAVIT OF PUBLICATION



STATE OF IDAHO. }
County of Lincoln, } ss.

E. L. PLATZ, being duly sworn, says that he is publisher of The Shoshone Journal, a weekly newspaper of general circulation, published at Shoshone, Lincoln County, Idaho; that the notice, a true copy of which is hereunto attached, was published in said newspaper once a week for two consecutive weeks, the first publication being on the 8th day of February, 1924 and the last on the 15th day of February, 1924

Subscribed and sworn before me this

16 day of February, 1924

Notary Public, residence, Shoshone, Ida.
(N. B.—Attach copy of printed notice.)

MICROFILMED

DIRECTORS
FRED W. GOODING, PRES.
WES GARDNER, VICE PRES.
P. T. GUTPHAN
G. W. GINE
L. J. HENRY
W. L. GROSS
C. A. JOHNSON
C. L. BAKER
OTTO SCHULZ

J. C. DADLEY, MANAGER
S. T. DICK, ASST. MGR.
SECRETARY-TREASURER

Big Wood Canal Co.

RICHFIELD, IDAHO.

Feb. 15, 1924.

Mr. W. G. Swendsen,
Commissioner of Reclamation,
Boise, Idaho.

Dear Mr. Swendsen:-

I have just noticed an advertisement in the Shoshone Journal with respect to the application for permanent transfer of water right by one Hattie Silva, of Shoshone, Idaho.

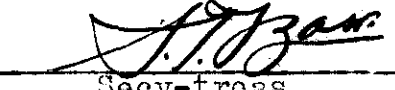
The notice as printed in the Shoshone Journal reads in part as follows:- ".....from the land upon which it is now used, i. e. W¹/₄ NW¹/₄ Sec. 16, and NE¹/₄ Sec. 17, Twp. 5 S., R. 17 E.B.M., to the following described tract, W¹/₄ NW¹/₄ Sec. 16, and NE¹/₄ Sec. 17, Twp. 5 S. R. 17 E.B.M."

You will note from the above that the lands to which it is desired to transfer the water is identically the same as that from which it is proposed to take the same; apparently the notice is in error.

Will you kindly give me the correct information concerning this transfer; also the old point of diversion as well as the proposed new one, in case the transfer is permitted. I desire to investigate the application in order to determine whether or not the same would in any manner interfere with any rights enjoyed by the Big Wood Canal Company.

Your usual prompt attention will be appreciated.

Very sincerely yours,


Secy-treas.
Big Wood Canal Co.

MICROFILMED

341

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE

February 5, 1924.

Re: Transfer Water Right.

Mr. A. D. Silva,
Shoshone, Idaho.

Dear Sir:-

Referring to your letter of the 27th ult., relative to application of Hattie I. Silva for transfer of water right, would say that February 21st has been set as the date for the hearing, at this office. It will not be necessary for you to appear at the hearing, either in person or by further affidavit, unless a protest be filed against allowing the transfer, in which case you will be further advised.

Notice for publication will be sent to the Shoshone Journal, to be advertised once a week for two consecutive weeks prior to the date set for the hearing. You should arrange with the publisher for the publication fees and have the affidavit of publication sent to this office prior to the date of the hearing.

A map should be filed with the application, showing the old and the new place of use, with point of diversion and canals. Blank map form is herewith enclosed. This may be sent in any time prior to the date of the hearing.

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

By *G. Brown*
Chief Clerk.

MF

I am sending map as per requested,

S. H. Chapman

MICROFILMED

241

Notice of Proposed Transfer of Water Right

Notice is hereby given that Nattie I. Silva of Shoshone
Idaho, has applied to the Commissioner of Reclamation of the State of Idaho
 for a certificate authorizing him to transfer the use of 4150 ~~250~~ cubic feet per second
 of the water of Big Wood River,

from the land upon which it is now used, i. e. ~~W¹NE¹ Sec. 16, and NE¹ Sec. 17, Twp. 5 S., R. 17 E., B.M.,~~
W²NE, S&NE, W²E & E²SW Sec. 31, T. 4 S. R. 16 E B M

to the following described tract. ~~W¹NE¹ Sec. 16, and NE¹ Sec. 17, Twp. 5 S., R. 17 E., B.M.~~

And that, on the 12th day of February ~~March~~, A. D.
 1914, at 10 A.M., at Boise, Idaho.

before the Commissioner of Reclamation, or his authorized agent, the opportunity will be given to any and
 all persons to appear and present for his consideration any reason or reasons why a certificate should
 not be issued authorizing such transfer.

W. G. Swendsen,

Commissioner of Reclamation

CK

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

DATE.....**February 5, 1924.**.....

The Journal,

Shoshone, Idaho.

DEAR SIR:

Enclosed you will find notice for publication once a week for ~~one~~^{two} consecutive weeks prior to
.....**February 21, 1924**....., the date set for ~~proof~~^{hearing}, the expense of the publication to be paid
by the applicant,.....**Mr. A. D. Silva, of Shoshone**....., to whom you should
furnish proof of publication on or prior to the date set for ~~proof~~^{hearing}.

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

Very truly yours,

W. G. SWEDSEN,

Commissioner of Reclamation.

RECEIVED
FEB 11 1924

241

February 5, 1924.

Re: Transfer Water Right.

Mr. A. D. Silva,
Shoshone, Idaho.

Dear Sir:-

Referring to your letter of the 27th ult., relative to application of Hattie I. Silva for transfer of water right, would say that February 21st has been set as the date for the hearing, at this office. It will not be necessary for you to appear at the hearing, either in person or by further affidavit, unless a protest be filed against allowing the transfer, in which case you will be further advised.

Notice for publication will be sent to the Shoshone Journal, to be advertised once a week for two consecutive weeks prior to the date set for the hearing. You should arrange with the publisher for the publication fees and have the affidavit of publication sent to this office prior to the date of the hearing.

A map should be filed with the application, showing the old and the new place of use, with point of diversion and canals. Blank map form is herewith enclosed. This may be sent in any time prior to the date of the hearing.

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

By _____
Chief Clerk.

MF

RECEIVED
FEB 11 1924
U. S. DEPT. OF AGRICULTURE
BUREAU OF RECLAMATION
WASHINGTON, D. C.

January 25, 1924.

Re: Transfer

Hattie I. Silva,
Shoshone,
Idaho.

Dear Madam:

Reference is made to your recent application for transfer of water right.

In looking up this matter we are advised that the State of Idaho, thru its Department of Public Investments, still holds sale certificate on the W $\frac{1}{2}$ of the NW $\frac{1}{4}$, Section 16, which is part of the land involved in your application for transfer.

Until such time as this sale certificate shall have been taken up and final payment made, the Department of Public Investments will protest the granting of this application for transfer and the Department of Reclamation will, of course, be bound by such protest to deny the application.

It is, therefore, my suggestion that, if possible, you make final payment on the sale certificate, whereupon we can proceed with the necessary procedure looking toward the granting of the transfer.

I also note that the application for transfer is not complete, in that it does not state the priority date nor the amount of water originally decreed to this land.

If, and when, you meet these two requirements, namely, the payment of balance due to the State and the completion of the information required in the application for transfer, we will proceed to advertise and set a date for hearing.

Very truly yours,

Assistant Commissioner
of Reclamation.

CND-H

RECEIVED
JAN 27 1924
DEPT. OF AGRICULTURE
WASHINGTON, D. C.

Jan 27-1924

State of Idaho
Department of Reclamation
Dear Sir

I am today sending a Draft to the Department of Public Investments for final payment on the $W\frac{1}{2}$ of the N. $W\frac{1}{4}$ S. 16, as per your suggestion.

I have had this in the hands of Mr. Disney for several years, & now that he is dead I will give it my personal attention & see if we can get this thing over with, any information you need let me know, & if you think necessary for me to go to Boise I can go down any time, Thanking you

2-2-24
Mrs. Brown
Comm. of Pub. Investments
has draft. But will not notify us
he has issued deed. I think it is
O.K. to proceed with publication now
and save a little time.
Carter

I remain very truly yours

A. D. Silva
Shoshone
Idaho

Dear Sir

in answering the part of your letter where you say that the application is not complete, in that it does not state priority date nor the amount of water originally desired to this land, will say

80 inches of June 2nd 1903 to the N.W. $\frac{1}{2}$ of the N.W. $\frac{1}{4}$ of Sec. 16.

140 inches of April 30 - 1891 to the N.E. $\frac{1}{4}$ of Sec. 17

MICROFILMED

FRANK T. DISNEY

ATTORNEY-AT-LAW

SHOSHONE, IDAHO

Jan. 16th, 1924.

State Engineer,
Boise, Idaho.

Dear Sir:-

Herewith I am enclosing Application for
Transfer of Water Right in behalf of Hattie I. Silva.
Kindly send me the necessary papers, or Permit in
Connection therewith.

Thanking you for your attention to this matter, I am,

Very truly,

MMG

H. I. Silva

Pay off of Permit -
Oxharrow's water contract.

January 21, 1924

Re: Transfer

Mr. I. H. Nash,
Commissioner of Land Office,
B u i l d i n g.

Dear Sir:

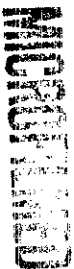
We are just in receipt of an application for transfer of water rights away from the $W\frac{1}{2}$ of the $NE\frac{1}{4}$ of Section 16, and the $NE\frac{1}{4}$ of Section 17, Twp. 5-South, Range 17 East B.M., to other lands in the same vicinity.

Before further procedure is initiated looking toward the transfer of this water, will you kindly advise us whether or not the State has any interests in the above described land.

Very truly yours,

Assistant Commissioner
of Reclamation.

GNC-H



Members of Board

C. C. MOORE
GOVERNOR AND PRESIDENT
A. H. CONNER
ATTORNEY GENERAL
F. A. JETER
SECRETARY OF STATE
ELIZABETH RUSSUM
SUPT. OF PUBLIC INSTRUCTION
E. G. GALLET
AUDITOR

STATE OF IDAHO

State Board of Land Commissioners

I. H. NASH, LAND COMMISSIONER

BOISE, IDAHO

January 25, 1924

Re: Transfer

Mr. Geo. N. Carter,
Assistant Commissioner of
Reclamation,
Boise, Idaho.

Dear Mr. Carter:

Replying to your letter of January 21:

Our records show the W $\frac{1}{2}$ NW $\frac{1}{4}$ Section
16, Township 5 South, Range 17 East, to be under
certificate of sale. Section 17 is not State
land.

As deed has not been issued for the
land in Section 16, the State still retains an
interest and therefore cannot approve a transfer
of water.

Very respectfully,



State Land Commissioner.

B.

MICROFILMED

341

January 21, 1924.

Re: Transfer,

Mr. E. M. Hoover,
Commissioner of Public Investments,
Building.

Dear Sir:

We are just in receipt of an application for transfer of water rights away from the $W\frac{1}{2}$ of the $NE\frac{1}{4}$ of Section 16, and the $NE\frac{1}{4}$ of Section 17, Twp. 5-South, Range 17 East B.M., to other lands in the same vicinity.

Before further procedure is initiated looking toward the transfer of this water, will you kindly advise us whether or not the State has any interests in the above described land.

Very truly yours,

Assistant Commissioner
of Reclamation.

GNC-H

RECEIVED
JAN 22 1924

STATE OF IDAHO
DEPARTMENT OF PUBLIC INVESTMENTS
BOISE

January 22, 1924

MR. GEORGE N. CARTER, Assistant
Commissioner of Reclamation,
Capitol,
Boise, Idaho.

Dear Sir:

We appreciate your information concerning application for transfer of water right, in your letter of January 21st.

The State is interested in the W $\frac{1}{2}$ NW $\frac{1}{4}$, Section 16, Township 5 South of Range 17 E.B.M., on account of land sale certificate No. 2732 and 2733 issued to Hattie Silva. On each of these certificates there is a payment of \$50.00 now past due.

As far as I can find from our records we have no interest in the NE $\frac{1}{4}$ Section 17. In looking through the records I ran across Loan No. 2591 in the name of Frank R. Silva amounting to \$4,500.00 with a mortgage on the N $\frac{1}{2}$ SE $\frac{1}{4}$, Section 4, Township 6 North of Range 15 E. B. M. This is long past due and has had no attention from the individual making the loan. We, therefore, sent the papers to the Attorney General and advised foreclosure proceedings.

Would appreciate your action if you will advise the first named party that the State expects payment on the amounts past due on the certificates, before you can take any action in regard to the water right application.

Yours truly,

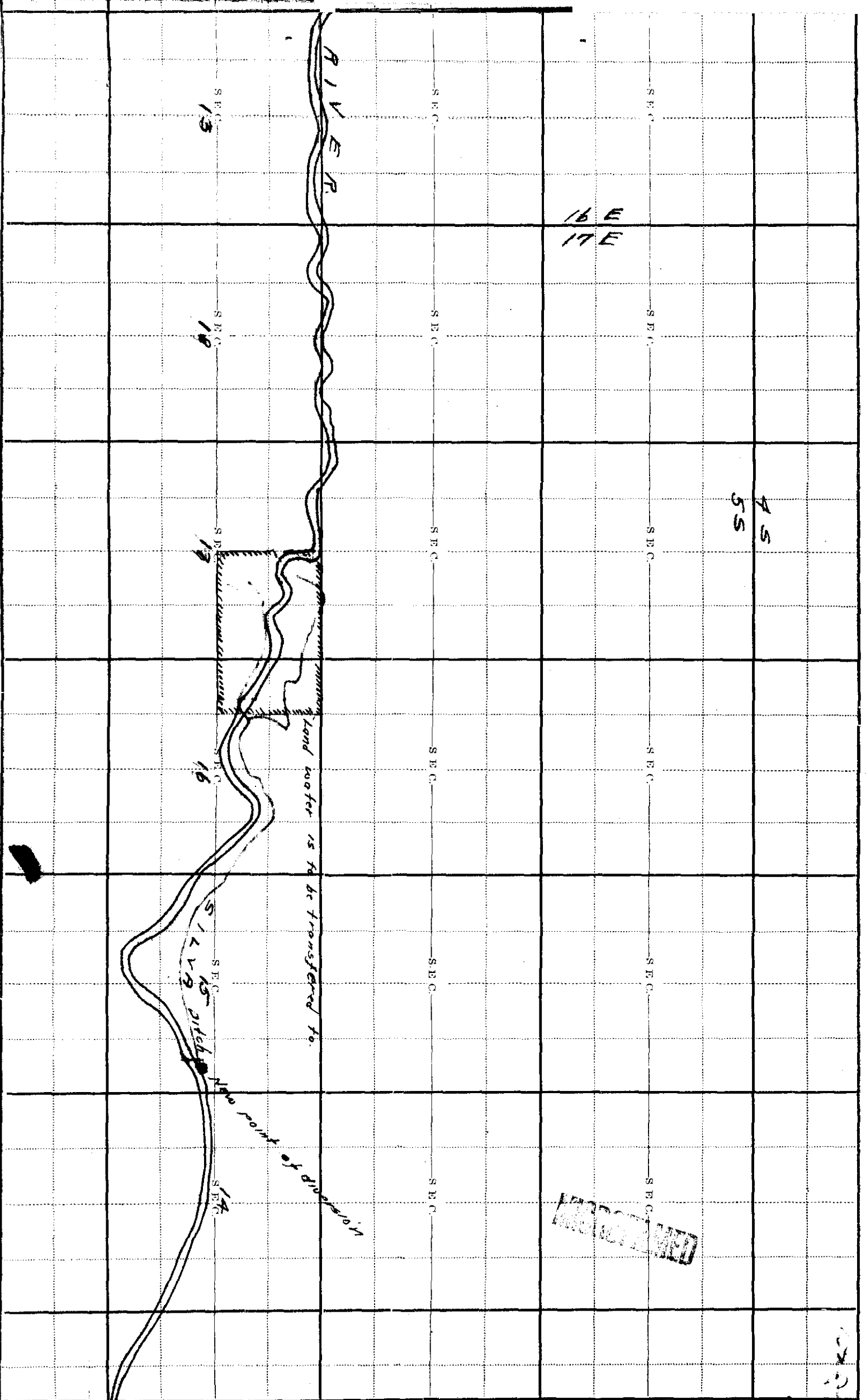
DEPARTMENT OF PUBLIC INVESTMENTS



Commissioner

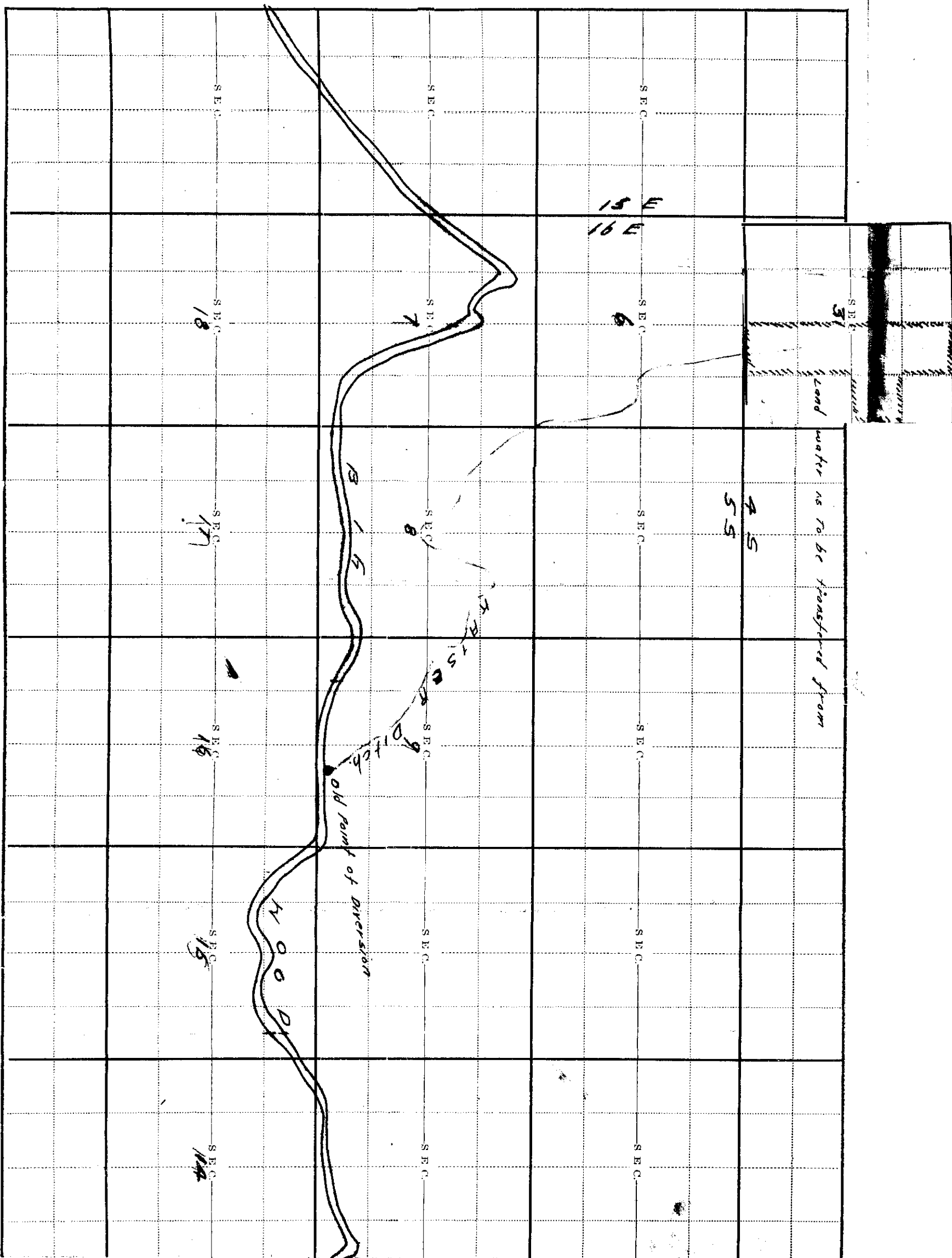
BMH: NK

RECEIVED



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

NAME OF APPLICANT _____



November 17, 1915.

Re ~~Transfer~~ of Water Right.

Mr. Frank T. Disney,
Attorney at law,
Shoshone, Idaho.

Sir:--

Am enclosing herewith certificate of transfer issued to A.D.Silva, with receipt for fee. Am also enclosing certified copy, for which please to remit \$1.00.

Notice for publication for proof to be made by Launie Hill, on December 20th, was mailed to the Shoshone Journal last Monday, the 15th. Deposition blanks will be mailed to you in due time for the proof.

Very truly yours,

J. H. SMITH,

State Engineer.

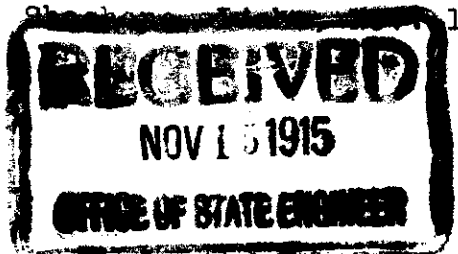
CTL70-R7878-CC-

By _____

RECEIVED
NOV 20 1915
STATE ENGINEER
SPOKANE

FRANK T. DISNEY
ATTORNEY-AT-LAW
SHOSHONE, IDAHO

OK/100



13th, 1915.

State Engineer,
Boise, Idaho.
Dear Sir:-

RECEIVED

Answering your letter of November 8th in regard to the application of Arthur D. Silva to transfer water from one piece of land to another, will say that on October 2nd, Mr. Silva appeared before me at Shoshone with his witnesses and made sufficient showing to entitle him to the transfer requested. There was no protest filed. Accordingly I herewith hand you the application for transfer signed by myself together with check for \$1.00, the fee therefor.

I wish you would also send me a certified copy of this transfer for which I will send you fee when you will render me statement of the account.

I also enclose application of Laurie Hill to make proof of Beneficial Use under Permit No. 10334. Mrs. Hill wishes to make

FRANK T. DISNEY

ATTORNEY-AT-LAW

SHOSHONE, IDAHO

proof as soon as possible and will be pleased to have you return them to me so that the notice may be published as soon as possible.

Thanking you for your attention to these matters,
I remain,

Very truly yours,

FTD-MMG

Frank T. Disney

RECEIVED
JUN 10 1910

November 8, 1915.

Re Transfer of Water Right.

Frank T. Disney, Attorney,
Shoshone, Idaho.

Sir:-

In reply to your letter of the 5th would say that I do not find any letter from you relative to the transfer of water right from A. D. Silva to Hattie Silva but presume you refer to the transfer of water right of A.D.Silva from one piece of land to another, the hearing of which transfer was to have been made at your office October 2nd. We wired you on that date to take the hearing and, not receiving any reply, we wrote you October 16th but have not as yet received any reply to our letter. If the hearing was taken at your office, or any showing made in regard to the transfer, and no protests were filed against same, please fill out the approval on the back of the application and return same to us, with regular \$1.00 fee. The certificate of transfer can then be issued to Mr. A.D.Silva.

Very truly yours,

J. H. SMITH,

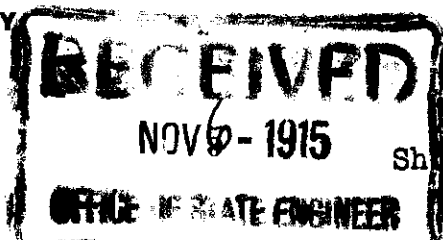
State Engineer.

AT.

By _____

MICROFILMED

FRANK T. DISNEY
ATTORNEY-AT-LAW
SHOSHONE, IDAHO



Shoshone, Idaho, Nov. 5th, 1915.

State Engineer,
Boise, Idaho.

Dear Sir:-

Sometime ago I wrote you in regard to the transfer of Arthur D. Silva water right to Hattie I. Silva, which I wished to accompany her Desert land entry. The Land Office have rejected the filing on the ground that proof of water-right is not shown and has given her until 15th of this month to amend the filing.

Will you not kindly make this transfer and forward the papers to the Hailey, Idaho Land Office, at Hailey, Idaho, before the time lapses 15th of November, and oblige,

Any additional costs kindly forward to me,

Very truly,

Frank T. Disney

UNRECORDED

October 16, 1915.

Re transfer of water right-A.D.Silva.

Mr. Frank T. Disney,
Attorney at law,
Shoshone, Idaho.

Sir:—

Please advise us as to whether or not
Mr. A. D. Silva appeared at your office on the
2nd inst. for the hearing the matter of his transfer
of water right. I

Very truly yours,

N. H. SMITH,

State Engineer.

By _____

RECEIVED
OCT 20 1915

Notice of Proposed Transfer of Water Right

Notice is hereby given that Arthur D. Silva of Shoshone
Lincoln, has applied to the State Engineer of the State of Idaho for a certificate
 authorizing him to transfer the use of one hundred (100) inches of the water of
Big Wood River
 from the land upon which it is now used, i. e. West half of Northwest quarter ($W\frac{1}{2}$ NW $\frac{1}{4}$)
Sec. 16 and Northeast quarter (NE $\frac{1}{4}$) of Sec. 17, T. 5 S., R. 17 E.B.M.,
 to the following described tract: West half of Northeast quarter ($W\frac{1}{2}$ NE $\frac{1}{4}$),
Southeast quarter of Northeast quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$), West half of Southeast
quarter ($W\frac{1}{2}$ SE $\frac{1}{4}$), and East half of Southwest quarter (E $\frac{1}{2}$ SW $\frac{1}{4}$), Sec. 31,
T. 4 S., R. 16 E.B.M.,

And that, on the 2nd day of October, A. D.
 191 5, at Shoshone, at the office of F. T. Disney,
State Engineer
 before the ~~Water Commissioner or his authorized agent~~ or his authorized agent, the opportunity will be given
 to any and all persons to appear and present for his consideration any reason or reasons why a certi-
 ficate should not be issued authorizing such transfer.

~~Notice of the proposed transfer may be obtained from~~

~~Water Commissioner or his authorized agent~~

J. H. Smith,
 State Engineer.

DAY LETTER

THE WESTERN UNION TELEGRAPH COMPANY

INCORPORATED

25,000 OFFICES IN AMERICA

CABLE SERVICE TO ALL THE WORLD

THEO. N. VAIL, PRESIDENT

BELVIDERE BROOKS, GENERAL MANAGER

RECEIVER'S No.

TIME FILED

CHECK

SEND the following **DAY LETTER** subject to
the terms on back hereof which are hereby agreed to }

Boise, Idaho. Oct. 2, 1915.

Frank T. Disney,
Shoshine, Idaho.

You are hereby authorized to take hearing Arthur Silva Transfer

J. H. SMITH,

Charge.

State Engineer.

DAY LETTER

ALL DAY LETTERS TAKEN BY THIS COMPANY SHALL BE SUBJECT TO THE FOLLOWING TERMS WHICH ARE HEREBY AGREED TO

The Western Union Telegraph Company will receive **DAY LETTERS**, to be transmitted at rates lower than its standard day message rates, as follows: one and one-half times the standard night letter rate shall be charged for the transmission of fifty (50) words or less, and one-fifth of the initial rate for such fifty words shall be charged for each additional ten (10) words or less.

To guard against mistakes or delays, the sender of a message should order it **REPEATED**, that is, telegraphed back to the originating office for comparison. For this, one-half the unrepeat message rate is charged in addition. Unless otherwise indicated on its face, **THIS IS AN UNREPEATED MESSAGE AND PAID FOR AS SUCH**, in consideration whereof it is agreed between the sender of the message and this Company as follows:

1. The Company shall not be liable for mistakes or delays in the transmission or delivery, or for non-delivery, of any **UNREPEATED** message, beyond the amount received for sending the same; nor for mistakes or delays in the transmission or delivery, or for non-delivery of any **REPEATED** message, beyond fifty times the sum received for sending the same, unless specially valued; nor in any case for delays arising from unavoidable interruption in the working of its lines; nor for errors in obscure messages.

2. In any event the Company shall not be liable for damages for any mistakes or delay in the transmission or delivery, or for the non-delivery of this message, whether caused by the negligence of its servants or otherwise, beyond the sum of **FIFTY DOLLARS**, at which amount this message is hereby valued, unless a greater value is stated in writing hereon at the time the message is offered to the Company for transmission, and an additional sum paid or agreed to be paid based on such value equal to one-tenth of one per cent. thereof.

3. The Company is hereby made the agent of the sender, without liability, to forward this message over the lines of any other Company when necessary to reach its destination.

4. Messages will be delivered free within one-half mile of the Company's office in towns of 5,000 population or less, and within one mile of such office in other cities or towns. Beyond these limits the Company does not undertake to make delivery, but will, without liability, at the sender's request, as his agent and at his expense, endeavor to contract for him for such delivery at a reasonable price.

5. No responsibility attaches to this Company concerning messages until the same are accepted at one of its transmitting offices, and if a message is sent to such office by one of the Company's messengers, he acts for that purpose as the agent of the sender.

6. The Company will not be liable for damages or statutory penalties in any case where the claim is not presented in writing within sixty days after the message is filed with the Company for transmission.

In further consideration of the reduced rate for this special "**DAY LETTER**" service, the following special terms are hereby agreed to:

A. **DAY LETTERS** may be forwarded by the Telegraph Company as a deferred service and the transmission and delivery of such **DAY LETTERS** is, in all respects, subordinate to the priority of transmission and delivery of regular day messages.

B. **DAY LETTERS** shall be written in plain English. Code language is not permitted.

C. This **DAY LETTER** may be delivered by the Telegraph Company by telephoning the same to the addressee, and such delivery shall be a complete discharge of the obligation of the Telegraph Company to deliver.

D. This **DAY LETTER** is received subject to the express understanding and agreement that the Company does not undertake that a **DAY LETTER** shall be delivered on the day of its date absolutely and at all events; but that the Company's obligation in this respect is subject to the condition that there shall remain sufficient time for the transmission and delivery of such a message on the day of its date during regular office hours, subject to the priority of the transmission of regular day messages under the conditions named above.

No employee of the Company is authorized to vary the foregoing.

THEO. N. VAIL, PRESIDENT

BELVIDERE BROOKS, GENERAL MANAGER

MONEY TRANSFERRED BY TELEGRAPH AND CABLE TO ALL THE WORLD

August 31, 1915.

Re Transfer- A.D. Silva.

Mr. Frank T. Disney,
Attorney at law,
Shoshone, Idaho.

Sir:--

In reply to your letter of the 27th, in which you enclose application of Arthur D. Silva for transfer of water right, would say that October 2nd has been set as the date for the hearing. I am enclosing herewith notice for publication, with letter to publisher, which please hand to them.

Mr. Fred A. Wilkie, Deputy State Engineer, will probably be able to attend the hearing but, in case he is not, the papers will be sent to you.

Very truly yours,

J. H. SMITH,

State Engineer.

L-H

By _____

MICROFILMED

August 31, 1915.

Re publication-Transfer of Water Right.

The Journal,
Shoshone, Idaho.

Gentlemen:--

Enclosed find notice for publication for transfer of water right which please publish once a week for four consecutive weeks. The expense of the publication will be paid by Arthur D. Silva, or his attorney, Frank E. Disney, of Shoshone, to whom you will please furnish proof of publication on or before October 2nd.

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

Very truly yours,

J. H. SMITH,

State Engineer.

N

By _____

MICROFILMED

FRANK T. DISNEY
ATTORNEY-AT-LAW
SHOSHONE, IDAHO

RECEIVED

AUG 28 1915

Aug. 27, 1915.

State Engineer,
Boise, Idaho.

STATE OF IDAHO

Dear Sir:-

I am enclosing you application of Arthur D. Silva to transfer 100 inch of the waters of Big Wood River. Your records will show that this transfer was made about two years ago, but at that time an error was made in the description of one of the forties of the land upon which the water was to be applied, and for this reason it must be re-advertised and again made of record to comply with the laws of the U. S. covering Desert Land Entries.

The land from which the water is taken lies in Lincoln County while the land to which it is to be transferred is in Gooding County, just over the line. I suppose that the notice can be published for the thirty days in a newspapers at Shoshone in Lincoln County, Idaho. This water was decreed to Arthur D. Silva as your records will show and he is the original owner of both land and water, there having been any transfer.

If this can be approved by you kindly return it, or the approval so that I can advertise it next week.

Thanking you,

very truly yours,

RECEIVED

Application for Transfer of Water Right

STATE OF IDAHO.

County of Lincoln

ss.

Arthur D. Silva

AUG 28 1915

NOV 15 1915

OFFICE OF STATE ENGINEER

being first duly sworn, deposes and says:

That his name is Arthur D. Silva; that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is Shoshone, Lincoln County, Idaho.

That he is the owner and using a certain water right of 140 inches, dated April 30, 1891, 80 inches, dated June 2, of the 1903, waters of Big Wood River

County of Lincoln, State of Idaho, decreed to him

by decree of Judge Alfred Budge, Acting Judge, of the

Fourth Judicial District of the State of Idaho, in and for the County of Lincoln

in the case of S. C. Frost et al. Plaintiffs,

defendants

vs Alturas Water Company, et al., said decree bearing date of December 17, 1909,

(or obtained by virtue of License No. _____, issued by the State Engineer

of the State of Idaho, dated _____), for the purpose of irrigating the

following described lands situate, lying and being in the County of Lincoln and

State of Idaho, to-wit: West Half of the Northwest Quarter (W $\frac{1}{2}$ NW $\frac{1}{4}$), of Sec. 16,

and Northeast Quarter (NE $\frac{1}{4}$) of Sec. 17, Township 5 South, Range 17 E. B.

M.

and is the person (or the representative of the cor-

poration) to whom such right so issued, or has become the owner thereof in the following manner: xxx

as per abstract of title of said water right hereto attached and made a part of this statement;

That said waters are now diverted from said stream at SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 15, Township 5 South, Range 17 E. B. M.

and conducted to the above described lands through a ditch

as per map hereto attached and of this affidavit made a part; 100 inches of said decreed water,

That affiant and petitioner desires to abandon the use of April 30, 1891, and 50 inches being from the 80 inches of June 2, 1903, of said water upon the above described land, and to convey and use same upon the following tract, situate,

lying and being in the County of Gooding and State of Idaho,

to-wit: W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 31, Township 4 South,

Range 16 E. B. M.

That his reasons for desiring to make such transfer are as follows: That a portion of the land to which the water has been decreed is rocky and hard to cultivate and the water can be more profitably used upon the land to which it is desired to be diverted.

MICROFILMED

That he intends to divert and convey said 100 inches of water to the tract of land last above described in the following manner, to-wit: By diverting it from Big Wood River in the NW¹/₄ NW¹/₄ of Sec. 15, Tp. 5 S. R. 16 E. B. M. into a ditch about 5 miles long, 6 feet wide and 1¹/₂ feet deep, with a capacity of about 200 inches, and conveying it to the land through this ditch.

as set forth upon the map hereto attached; and

That no one will be injured by such transfer.

WHEREFORE, Affiant and Petitioner prays that the State Engineer of the State of Idaho issue to him the proper certificate authorizing such transfer, and give proper notice of the same to the Water Commissioner of the Division, in accordance with the provisions of Section 11, House Bill No. 146, of the Laws of the Seventh Session of the Legislature of the State of Idaho.

Arthur D. Silva

Subscribed and sworn to before me this 26th day of June

A. D. 1915.

Frank T. Disney
Notary Public.

STATE OF IDAHO.

County of Lincoln

} ss.

John Ivie and Alvin L. Butler

being first duly sworn, each for himself, and not one for the other, deposes and says: That he is a citizen of the United States and of the State of Idaho, residing at Shoshone, that he is a user of water from Big Wood River, County of Lincoln, State of Idaho; that he has read or heard read the foregoing affidavit and petition of Arthur D. Silva, and is familiar with its allegations, and with the water right and lands therein mentioned and described and is not in any way interested in either, nor in any way related to said petitioner; that the statements and allegations therein made are true of his own knowledge; and that no one will be injured by the granting of the certificate authorizing the transfer therein petitioned.

Alvin L. Butler

Subscribed and sworn to before me this 26th day of June

A. D. 1915.

Frank T. Disney
Notary Public.

STATE OF IDAHO,

County of.....

} ss.

I,

Watermaster of

County of

State of Idaho, whose postoffice address is.....

....., have read or heard read the foregoing affidavit and petition of
....., and, of my own knowledge, believe the same to be
true as to all matters therein alleged, and that no one will be injured by the transfer prayed to be authorized;
and I hereby endorse my approval of said petition, and request that the State Engineer issue the certificate of
transfer as petitioned; or (do not approve of the issuance of the certificate of transfer prayed for) for the
following reasons:.....
.....
.....
.....

Watermaster.

Notice having been duly published for thirty days of the intention of the above named.....
Arthur D. Silva..... to apply to the State Engineer of the State of Idaho for a certificate
authorizing the transfer of water as set forth in this affidavit and petition herein, and an opportunity having
been given to any and all persons opposing said transfer to present their objections in a public hearing before
me at Shoshone, Idaho,....., on October 2nd, 1915, according to
the terms of said notice;

And it not appearing at said hearing that anyone would be materially injured by such transfer:

I hereby recommend that the said State Engineer of the State of Idaho issue his certificate to said appli-
cant, authorizing the transfer as prayed for in his petition; or ~~(and it appearing at said hearing that the fol-
lowing injuries would be sustained by others if such transfer is permitted~~.....
.....
.....
.....

I hereby recommend that the State Engineer do not issue the certificate authorizing the transfer sought
hereinabove.

Commissioner of Water Division No.

By.....

August 23, 1911

Re transfer

A. D. Silva,
Shoshone, Idaho

Sir:-

- Am inclosing you herewith certificate of transfer
No. 79, together with receipt for fee.

Very truly yours,

State Engineer.

Cer79

By...

RECEIVED
AUG 24 1911

LINCOLN COUNTY STATE BANK

GOODING, IDAHO

GEO. W. WEDGWOOD, PRES.
W. H. CANNON, VICE PRES.
H. J. LEYSON, CASHIER

Gooding, Idaho Aug. 1st 1911.

A. D. Silva Esq.,

Shoshone, Idaho

Dear Sir:

I am just in receipt of a letter from the State Engineer, Boise, Idaho, in which they acknowledge receipt of the money I sent in relative to your transfer of State Bonds, and in which they state that the \$1.00 Certificate has not yet been paid.

Kindly send a check for \$1.00 payable to A. E. Robinson, State Engineer, or Mr. Robinson at Boise and deliver the letter on receipt of which your certificate of transfer will be returned to you.

Very Truly

RECEIVED

AUG 1 1911

OFFICE OF STATE ENGINEER

July 29, 1911

Re transfer

Geo. W. Wedgwood,
Gooding, Idaho

Sir:-

I am today in receipt of papers in the matter of transfer of water right of A. D. Silva. The fee of \$1.00 has not been received and, upon receipt of same, the certificate will be issued.

Very truly yours,

State Engineer.

By...

RECEIVED

LINCOLN COUNTY STATE BANK

GOODING, IDAHO

GEO. W. WEDGWOOD, Pres.
W. H. CANNON, Vice Pres.
H. J. LEYSON, Cashier

July 27th 1911.

A. E. Robinson, State Engineer,
Boise, Idaho.

Dear Sir:-

Enclosed herewith find Application for transfer of Water right of Arthur D. Silva, also plats, and notice of proposed transfer of Water right, and affidavit of Publication.

I have approved the application of transfer, as agent of Ravenell Macbeth, Water Commissioner of this District, there having been no objections raised to the proposed transfer.

Mr. Silva stated that he thought your fee of \$1.00 for certificate of transfer, was remitted to you by A. I. McMahon of Shoshone, who made the original application for him, but if such is not the case, please advise and I will see that same is remitted to you.

Very Truly,

Geo W Wedgwood
Pres.

Printer's Affidavit of Publication

STATE OF IDAHO,
COUNTY OF LINCOLN } SS.

Robert W. Spangler

Robert W. Spangler, being first duly sworn, deposes and says that he is manager and publisher

of The Gooding Herald, a weekly newspaper published in said State and County, that a notice ~~alias~~ summons, of which the annexed is a true copy, was published in the said newspaper for at least 5 days, first insertion commencing on the 22 day of June, 1911, and the last insertion thereof ceased on the 20 day of July, 1911, inclusive.

Cost of publication \$ 7.50

R. W. Spangler

Subscribed and sworn to before me this 26 day of July, 1911

Geo. W. Wedgwood

Notary Public

My commission expires the 1 day of January, 1913

Notice is hereby given that Arthur D. Silva of Shoshone, Idaho, has applied to the State Engineer of the State of Idaho for a certificate authorizing him to transfer the use of one hundred inches of water of Big Wood river from the land upon which it is now used, ~~to~~ W $\frac{1}{2}$ NW $\frac{1}{4}$, section 16, and the NE $\frac{1}{4}$ section 17, township 5S., of range 17E. B. M. to the following described tract: W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, section 31, township 4 S. range 16, E. B. M.

And that on the 22nd day of July, A. D. 1911, at Gooding, Idaho, before the Water Commissioner of this division, or his authorized agent George W. Wedgwood, the opportunity will be given to any and all persons to appear and present for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

Full details of the proposed transfer may be obtained from S. E. Heden, Watermaster of said stream.

RAVENEL MACBETH,
Water Commissioner 2nd. Div.
July 20.

Notice of Proposed Transfer of Water Right.

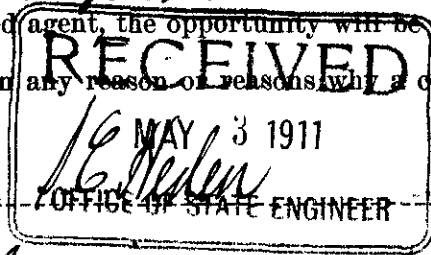
Notice is hereby given that Arthur D. Silva of Shoshone, Idaho, has applied to the State Engineer of the State of Idaho for a certificate authorizing him to transfer the use of one hundred inches of the water of Big Hood River from the land upon which it is now used, i. e. W² NW⁴ Sec. 16. and the NE⁴, Sec. 17. T. 5 S. R. 17 E. B. M.

to the following described tract: W² NE⁴ E² SW⁴, W² SE⁴, Sec. 31. T. 4 S. R. 16 E. B. M.

And that, on the 22nd day of July, A. D. 1901, at Gooding Idaho, Near to Wedgecroft,

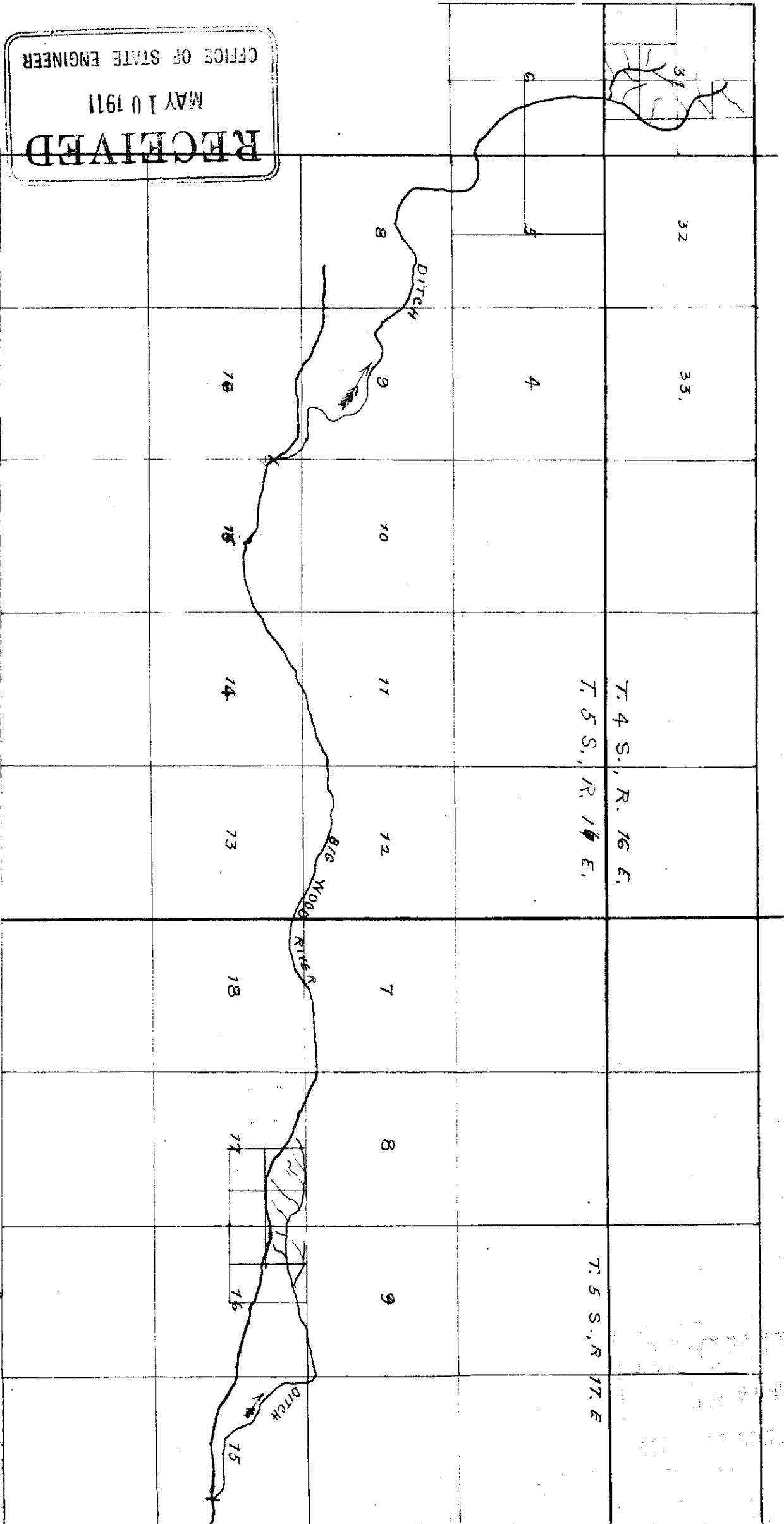
before the Water Commissioner of this Division, or his authorized agent, the opportunity will be given to any and all persons to appear and present for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

Full details of the proposed transfer may be obtained from Office of State Engineer Watermaster of said stream.

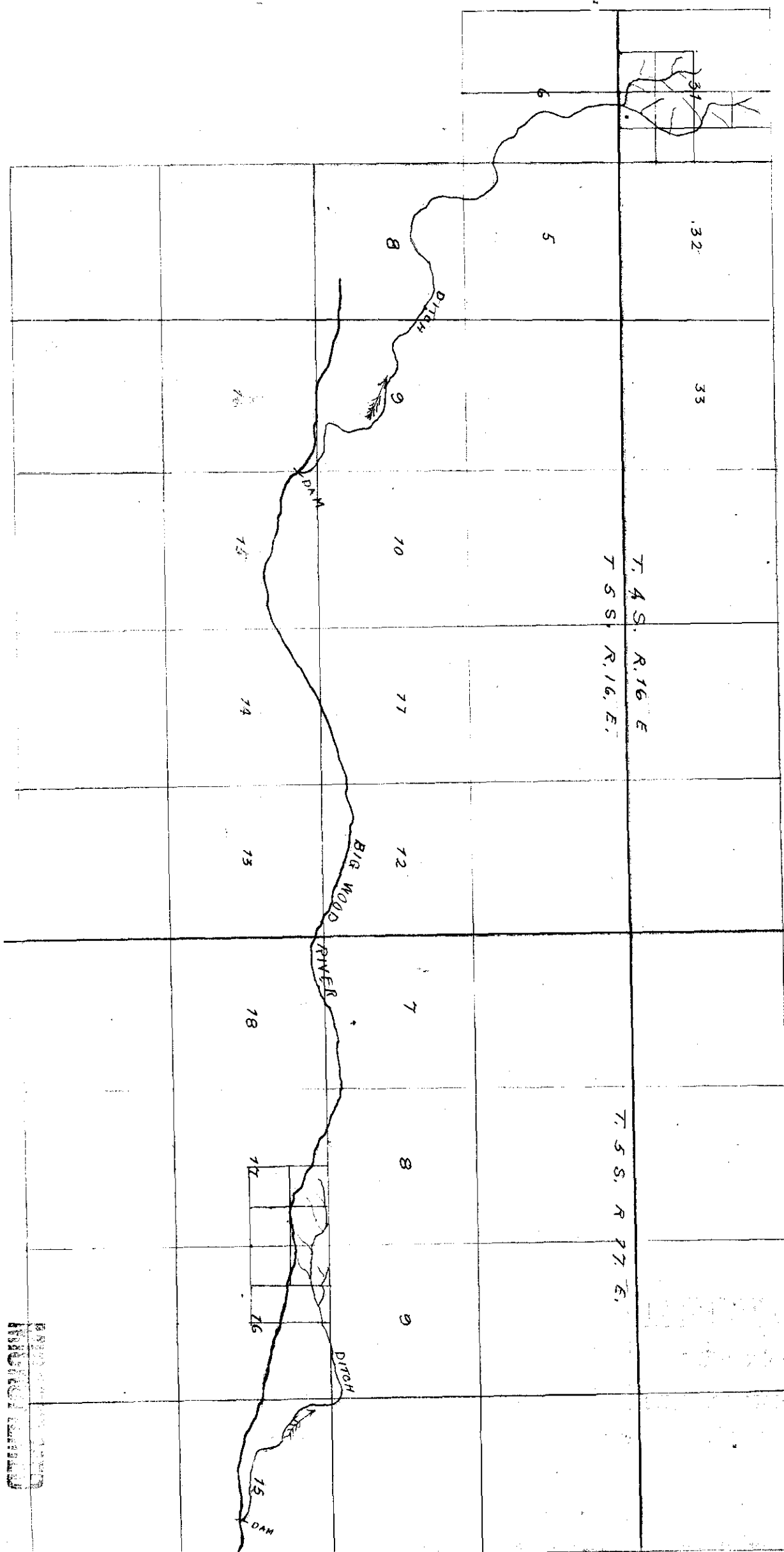


Harold Macdonald
Water Commissioner 2nd Div.

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MAY 10 1911
OFFICE OF STATE ENGINEER



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MAY 10 1911
OFFICE OF STATE ENGINEER



RECORDS
OF THE
LAND
OFFICE

May 10, 1911

Re transfer

Hon. Ravenel Macbeth,
Twin Falls, Idaho

Sir:-

- I am inclosing you herewith application for
transfer of water right, favor of Arthur D. Silva.

Very truly yours,

State Engineer.

Ap Tr--

By...

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MAY 11 1911

Application for Transfer of Water Right.

MAY 10 1911

OFFICE OF STATE ENGINEER

State of Idaho,

County of Lincoln

ss.

Arthur D. Silva

being first duly sworn, deposes and says:

That his name is Arthur D. Silva; that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is

Shoshone, Idaho

That he is the owner and using a certain water right of 220 inches of the waters of Big Wood River.

County of Lincoln, State of Idaho, decreed to him

by decree of Judge Alfred Budge Acting Judge, of the

Fourth

Judicial District of the State of Idaho, in and for the County of

Lincoln.

, in the case of S. L. Frost et al

vs. Alturas Water Company et al, said decree bearing date of

Dec 17, 1909 (or obtained by virtue of License No. , issued by the State Engineer

of the State of Idaho, dated), for the purpose of irrigating the

following described lands situate, lying and being in the County of Lincoln and

State of Idaho, to wit: W² NW⁴ Sec. 16 and NE¹ Sec. 17, T. 5 S. R. 17 E.

 and is the person (or the representative of the corporation) to whom such right so issued, or has become the owner thereof in the following manner, i. e.

as per abstract of title of said water right hereto attached and made a part of this statement:

That said waters are now diverted from said stream at

S 5 S. R. 17 E

and conducted to the above described lands through ditch

as per map hereto attached and of this affidavit made a part;

That affiant and petitioner desires to abandon the use of One hundred inches

of said water upon the above described land, and to convey and use same upon the following tract, situate, lying and being in the County of

Lincoln and State of Idaho, to

wit: W¹ NE⁴ E² SW⁴ W² SE⁴ Sec. 31, T. 4 S. R. 16 E.

That his reasons for desiring to make such transfer are as follows: By an economical

use of the water he has more water decreed to him

than he requires to irrigate the good, level land on

Sec. 17, T. 5 S. R. 17 E. as about 120 acres of this land

rough and rocky

RECEIVED

That he intends to divert and convey said One hundred inches of water to the tract of land last above described in the following manner, to wit: by a dam constructed in Big Wood River in NW⁴ NW⁴ Sec 15 T. 5 S. R. 16 E.
and by a ditch leading therefrom to the land described in Sec. 31, T. 4 S. R. 16 E.

as set forth upon the map hereto attached; and

That no one will be injured by such transfer.

WHEREFORE, Affiant and Petitioner prays that the State Engineer of the State of Idaho issue to him the proper certificate authorizing such transfer, and give proper notice of the same to the Water Commissioner of this Division, in accordance with the provisions of Section 11, House Bill No. 146, of the Laws of the Seventh Session of the Legislature of the State of Idaho.

Subscribed and sworn to before me this

Arthur S. Silva
29th day of April.

A. D. 1907...

A. M. Mahon
Notary Public

State of Idaho, }
County of Lincoln } ss.

Frank P. Gwin, and John S. Lumb.

being first duly sworn, each for himself, and not one for the other, deposes and says: That he is a citizen of the United States and of the State of Idaho, residing at in Lincoln County Idaho that he is a user of water from Big Wood River, County of Lincoln, State of Idaho; that he has read or heard read the foregoing affidavit and petition of Arthur S. Silva, and is familiar with its allegations, and with the water right and lands therein mentioned and described and is not in any way interested in either, nor in any way related to said petitioner; that the statements and allegations therein made are true of his own knowledge; and that no one will be injured by the granting of the certificate authorizing the transfer therein petitioned.

Subscribed and sworn to before me this

John S. Lumb
Frank P. Gwin
29th day of April.

A. D. 1907...

A. M. Mahon
Notary Public

State of Idaho,
County of Lincoln } ss.

I, J. E. Heden, Watermaster of Lower Big Lost River,

County of Lincoln, State of Idaho, whose postoffice address is _____

Gooding Idaho, have read or heard read the foregoing affidavit and petition of
Arthur D. Silva, and, of my own knowledge, believe the same to be

true as to all matters therein alleged, and that no one will be injured by the transfer prayed to be au-

thorized; and I hereby endorse my approval of said petition, and request that the State Engineer

issue the certificate of transfer as petitioned; ~~or (do not approve of the issuance of the certificate of~~
~~transfer prayed for) for the following reasons:~~

J. E. Heden

Watermaster.

Gooding Idaho

July 22-1911

Notice having been duly published for thirty days of the intention of the above named _____

Arthur D. Silva to apply to the State Engineer of the State of Idaho for a certificate
authorizing the transfer of water as set forth in his affidavit and petition herein, and an opportunity
having been given to any and all persons opposing said transfer to present their objections in a public
hearing before me at Gooding Idaho, on July 22-1911, according to
the terms of said notice;

And it not appearing at said hearing that any one would be materially injured by such transfer:

I hereby recommend that the said State Engineer of the State of Idaho issue his certificate to said
applicant, authorizing the transfer as prayed for in his petition; ~~or (and it appearing at said hearing~~
~~that the following injuries would be sustained by others if such transfer is permitted~~

I hereby recommend that the State Engineer ~~do not~~ issue the certificate authorizing the transfer
sought hereinabove.

Ravenel Macbeth

Commissioner of Water Division No. 2

By

Geo. W. Deane
agent

No.

**APPLICATION FOR TRANSFER
OF WATER RIGHT.**

From

To

Stream

County

Applicant.

Received

Approved

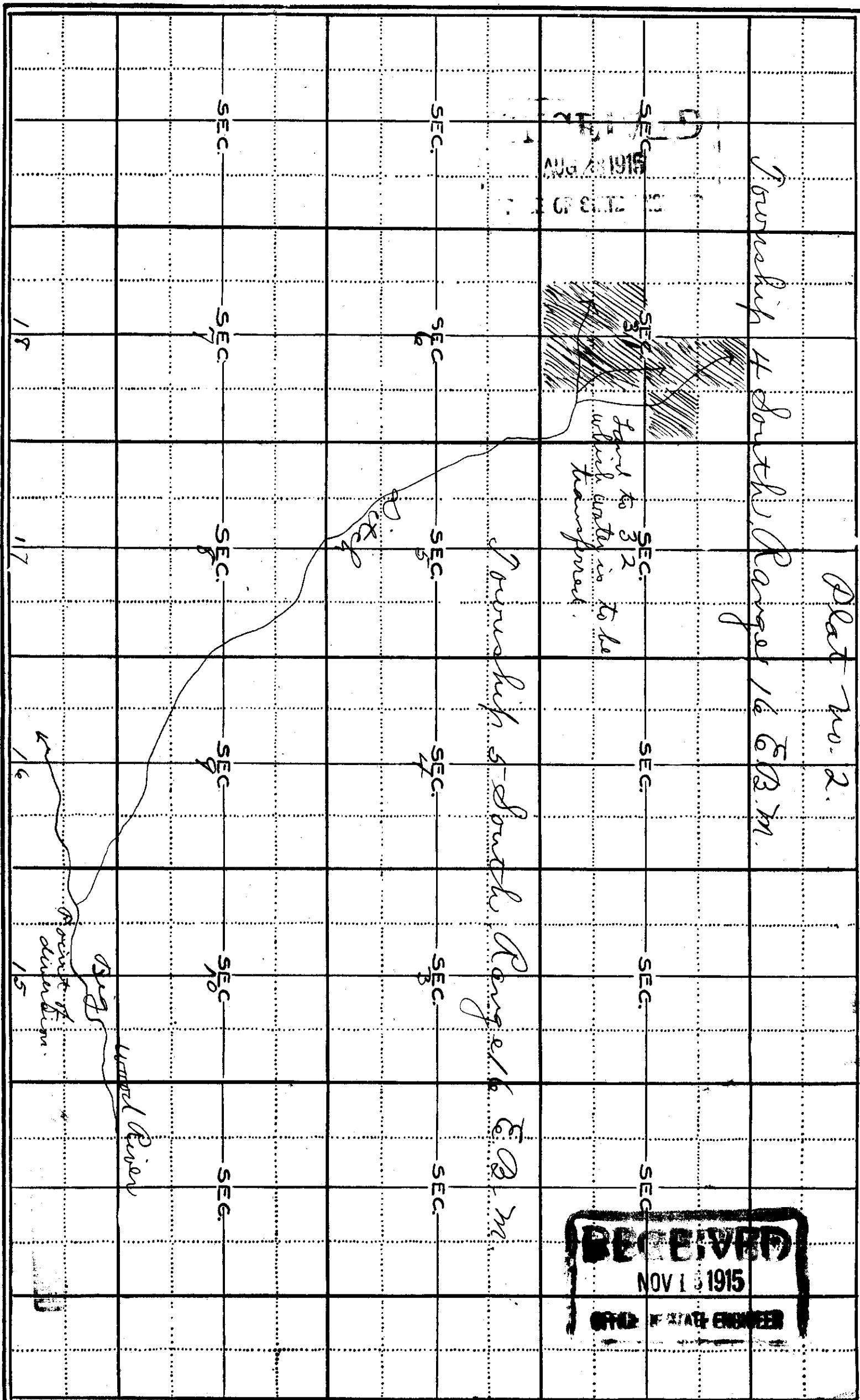
Certificate No. *issued.*

and recorded in

Book *of Transfers, at page*

Name of Applicant

Arthur L. Silva.



Name of Applicant

Arthur S. Silva

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AUG 23 1915
OFFICE OF STATE ENGINEER

Sheet No 1.

Township 5 South,
Range 17 E. D. M.

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NOV 15 1915
OFFICE OF STATE ENGINEER

SEC. 17
SEC. 18
SEC. 19
SEC. 20
SEC. 21
SEC. 22
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SEC. 95
SEC. 96
SEC. 97
SEC. 98
SEC. 99
SEC. 100

Land water is to be
reserved from

SEC. 16 ditch

Point of
diversion