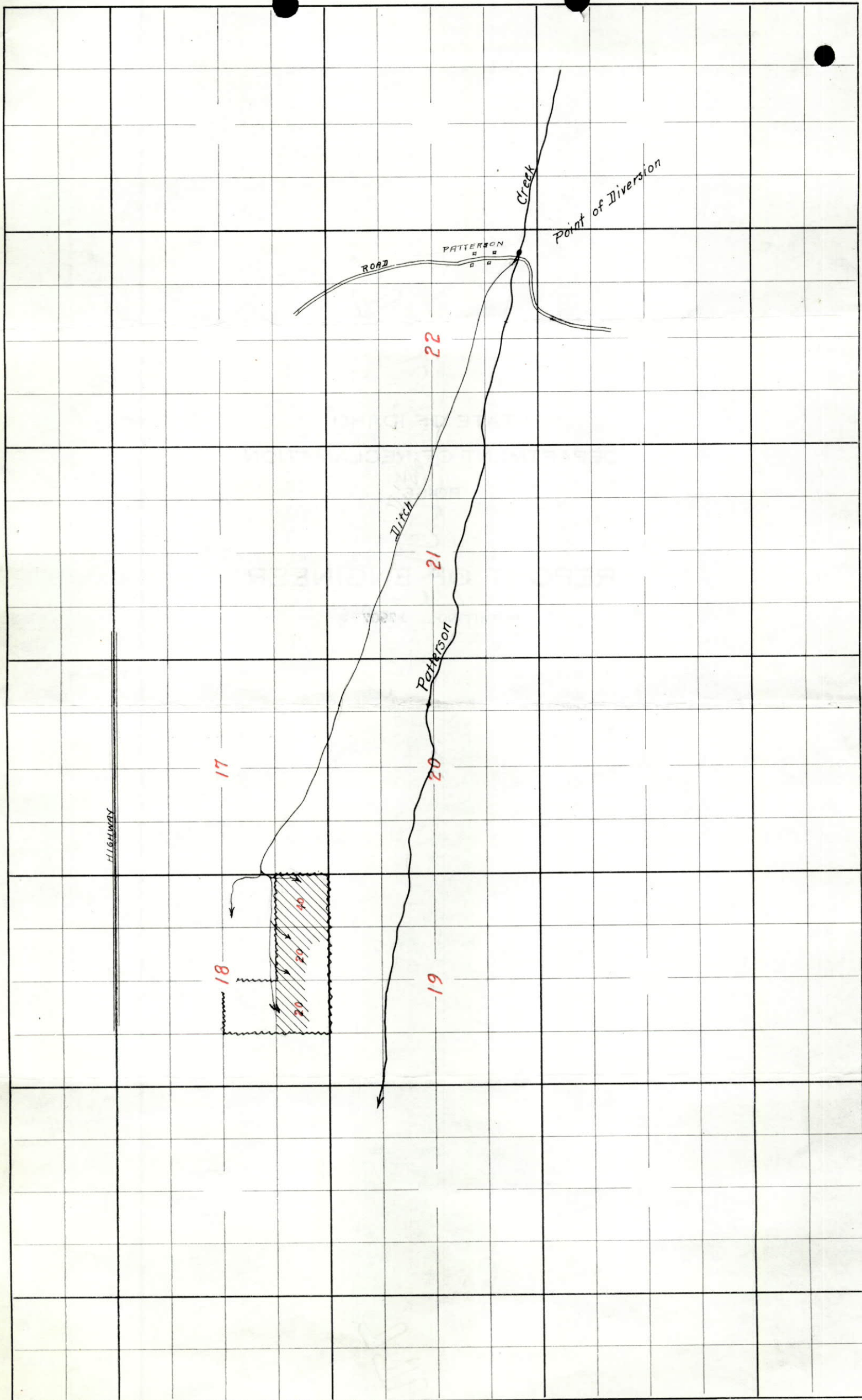




Affidavit of Publication

RECEIVED

SEP 30 1935

Department of Reclamation

State of Idaho, }
County of Lemhi } ss.

RALPH B. KNEPPER, being duly sworn, upon oath deposes and says: I am the printer,

NOTICE FOR PUBLICATION

Notice of Proof Application of Water to Beneficial Use.

Notice is hereby given that at 10:00 a. m. on the 20th day of September, 1935 at May, Idaho, County of Lemhi, State of Idaho, before Vina Thompson, notary public, proof will be submitted of the application to beneficial use of 1.4 cubic feet per second of the waters of Patterson creek in accordance with the terms and conditions of Permit No. 17907 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 Henry P. Nichols, May, Idaho.

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

The amount applied to beneficial use is 1.4 cubic feet per second.

The place where said water is used is E $\frac{1}{2}$ SW $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 18, T. 14 N., R. 23 E., B. M.

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

The right to take water from such works is based upon Permit No. 17907.

The source of supply from which such water is diverted is Patterson creek.

The date of the priority which said user is prepared to establish is September 21, 1934.

Subs

R. W. FARIS,
Commissioner of Reclamation.
Aug. 28 to Sept. 18—4t.

e, this 19th day of Sept., 1935

Ralph B. Knepper

A. A. McCall

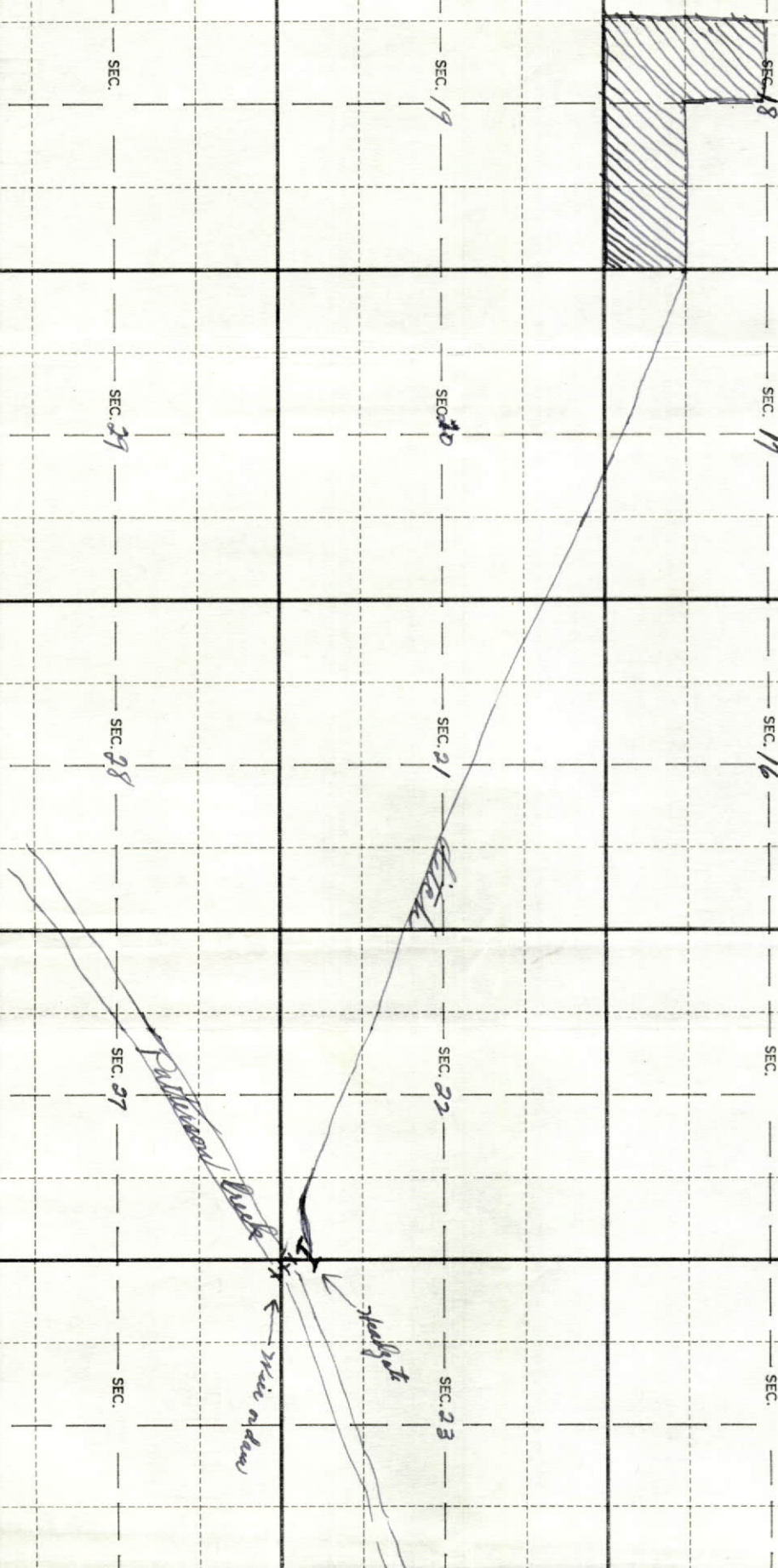
Notary Public for the State of Idaho,
Residing at Salmon, Idaho.

Publication Fee \$10.25 Paid

17907

Henry P. Nichols.

Section 18, Township 14 North, Range 23 E, R. 3M.



Permit Map No. 17907

As Approved
APR 26 1934

R. W. FARIS
Commissioner of Reclamation

State of Idaho
License and Certificate of Water Right

Water License No. 17907 Amount 1.4 sec. ft.
Water District No. Priority September 21, 1934

THIS IS TO CERTIFY that HENRY P. NICHOLS
of May, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated April 26, 1934; that Permit No. 17907
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.4 second feet, was issued thereunder on March 15, 1935, showing that said works
were completed on the 12th day of March, 1935; and that on the 20th
day of September, 1935,

HENRY P. NICHOLS
of May, State of Idaho, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of Patterson Creek
, a tributary of Pahsimeroi River, for the purpose of irrigation and domestic
use, under Use Permit No. 17907 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 3866, on the 9th day of March, 1937;

The right hereby confirmed dates from September 21, 1934;

The Point of Diversion is located
in the SE 1/4 SE 1/4, Sec. 22, Tp. 14 N., R. 23 E., B. M. Lemhi County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid,
is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 1.4
cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
14 N.	23 E.	18	SE 1/4 SW 1/4	40	20
			SW 1/4 SE 1/4	40	20
			SE 1/4 SE 1/4	40	40
					80

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 9th day of March, 1937

R. W. FARIS
Commissioner of Reclamation

(SEAL)

State of Idaho

License and Certificate of Water Right

Water License No. 17403

Amount 0.2 sec. ft.

Water District No.

Priority November 26, 1930

THIS IS TO CERTIFY that CHAS. F. LYNCH
of Sandpoint, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated November 26, 1930; that Permit No. 17403
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.2 second feet, was issued thereunder on November 14, 1932, showing that said works
were completed on the 8th day of November, 1932; and that on the 13th
day of December, 1935,

CHAS. F. LYNCH

of Sandpoint, State of Idaho, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of Trout Creek
, a tributary of Pack River, for the purpose of irrigation and
domestic use, under Use Permit No. 17403 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 3865, on the 3rd day of March, 1937;

The right hereby confirmed dates from November 26, 1930;

The Point of Diversion is located
in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 31, Tp. 58 N., R. 1 E., B. M. Bonner 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 0.2
cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
58 N.	1 E.	31	SW $\frac{1}{4}$ NE $\frac{1}{4}$	3	3
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	1	2
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	4 $\frac{1}{2}$	5
					10

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

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho,
this 3rd day of March, 1937

R. W. FARIS

Commissioner of Reclamation

(SEAL)

73-2130

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

Application No. 25072
Permit No. 17907
District No. 19

1. Name of Applicant: HENRY P. NICHOLS

Postoffice address: May County: Lemhi 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:

- (b) Treasury stock
- (d) Other resources:

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: 1.4 cubic feet per second.

3. Source of water supply: Patterson Creek which is a tributary of Pahsimeroi River.

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

corner of Section , T. , R. , B. M., and is in the SE $\frac{1}{4}$ SE $\frac{1}{4}$

of Section 22 , T. 14 N. , R. 23 E., B. M., County of Lemhi

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

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 (Constructed)

8. Kind of works: Weir, ditch and dam

9. Height of dam 2 feet; length of dam at top 14 feet; length of dam at bottom 14

feet; material used in dam: rock and earth

10. Size of headgate: Width 5 feet; height 4 feet.

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

feet; dimensions of flume:

Diameter of pipe inches; length of conduit Approx. 3 miles.

Average grade per mile feet.

12. The time required for the completion of such work is 6 months. ~~years.~~

13. The time required for the complete application of the water to the proposed use is 6 months additional years.

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

15. (a) Is reservoir to be used? No If so, fill in (b) and (c) below.
(b) Name of Reservoir and number of Storage Permit:
(c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Henry P. Nichols Applicant.

By Agent.

Date of first receipt at Department of Reclamation: 11:00 A. M. April 26, 1934.

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 17907
Recorded in Book 64 Page 17907 Approved April 26, 1934.
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 June 25, 1934 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 26, 1934.
The whole of said work to be completed on or before October 26, 1934.
Beneficial use of water appropriated in accordance herewith, to be made on or before April 26, 1935.

Witness my hand this 26th day of April, 1934.

R. W. FARIS
Commissioner of Reclamation.

Remarks: The construction of all improvements (Wier, ditch, headgate, etc.) was done to complete filing on decree issued to Jane Hammond date of May 8, 1899 for water to be used on land adjoining.

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		
14 N	23 E	18										40			40			40	40	160
																				160

PERMIT NO. 17907

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that HENRY P. NICHOLS of May, County of Lemhi, and State of Idaho, the holder of Permit No. 17907, issued upon Application No. 25072, bearing date of priority of April 26, 1934, authorizing the diversion of 1.4 second feet of the waters of Patterson Creek, County of Lemhi, 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 1.4 second feet of the waters of Patterson Creek; that the point of diversion of said waters is in the $SE\frac{1}{4} SE\frac{1}{4}$ Sec. 22, T. 14 N., R. 23 E., B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: $E\frac{1}{2} SW\frac{1}{4}$ & $S\frac{1}{2} SE\frac{1}{4}$ Sec. 18, T. 14 N., R. 23 E., B. M.; 160 acres.

Witness my hand this 15th day of March, A. D. 1935.

R. W. FARIS
Commissioner of Reclamation

Proof of Completion of Works made March 12, 1935.
Certificate issued March 15, 1935.

LICENSE ISSUED FOR 1.4 SEC. FT.

p. 3866 Vol 7

WATER RIGHT NUMBER 73-2130

OWNER LAST NAME - NICHOLS

FIRST NAME - HENRY P.

ORIG OWNER -

VERIFIED LBS

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - MAY

STATE - ID ZIP CODE -

SOURCE - PATTERSON CREEK

TRIBUTARY OF - PAHSIMEROI RIVER

STAGE - LICENSE

STATUS -

PRIORITY - 09-21-1934

COUNTY - LEMHI

TOTAL DIV. RATE - 1.4000 -CFS

TOTAL DIV. VOLUME -

.00 AFA

TRFR/AMEND -

WATER DIST. - 73

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - SESE 22 14N 23E LOT

REDIV -

272.0 92.0 377.0

6.0 0.0 0.0

0.0 0.0 0.0 0.0 0.0 4.4

FROM - TO -

USE - IRRIGATION

USE DIV. RATE -

1.4000 CFS

USE DIV. VOLUME -

.00 AFA

FROM - TO -

USE - DOMESTIC

USE DIV. RATE -

.0000 CFS

USE DIV. VOLUME -

.00 AFA

USE - IRRIGATION

PLACE OF USE - TWN 14N RNG 23E SEC 18

TRACT SESE LOT

AC 20 TRACT

SWSE LOT

AC 20

DECREE NAME -

DATE -

TOTAL ACRES

80

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 17907

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL -

DIVERSION MEANS -

22/07/1985

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 17907 1 73-2130
Old No. New No.

Record

1. Original Owner: Henry P. Nichols

Present Owner: _____

2. Address:

3. City: May State: ID. Zip: _____

4. A. Source of Water: Patterson Creek

B. Tributary of: Pahsimeroi River

5. A. Stage (A,P,L,D,S,J): L

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 9-21-1934

D. County: 59

E. Total Diversion Rate: 1.4

F. Total Diversion Volume:

G. Transfer/Amendment (P,T of A or blank):

H. Water District: 73

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>SESE</u>	<u>22</u>	<u>14N</u>	<u>23E</u>	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____

7. Period of Use, Use, Diversion Rate/Volume:

from _____ to _____ for A purposes. Amount 1.4
(cfs or AC-FT/yr)

from _____ to _____ for D purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

8. Use Code: A 10579

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number: 17907

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval:

14. Diversion Means (brief narrative):

~~XXXXXXXXXX~~
Barzilla W. Clark

March 10, 1937

Re: Permit No. 17907

HENRY P. NICHOLS
May, Idaho

Dear Sir:

You will find enclosed herewith, License and Certificate of Water Right which has been issued under the terms of the above permit for 1.4 cubic feet of water per second from Patterson Creek in Lemhi County, for irrigation purposes.

We are also enclosing our office receipt, No. 16135 in the amount of \$6.00 covering fee remitted by you in connection with beneficial use proof.

Very truly yours

R. W. PARIS
Commissioner of Reclamation

by
Ass't Chief Clerk

cj
encl

17907



GOVERNOR
Barzilla W. Clark

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

BOISE

March 25, 1937

BUREAU OF WATER RESOURCES
FREDERICK E. DRAGER
DIRECTOR

RECEIVED

APR 1 1937

Department of Reclamation

SPECIAL DELIVERY

Re: Permit No. 17907

Mr. Henry P. Nichols
May, Idaho

Dear Mr. Nichols

You recently mailed a check to this department in the amount of six dollars, drawn on the American National Bank at Salmon, a branch of this bank at Idaho Falls. This fee, as you know, was due in connection with the final proof under the above permit.

Several days ago we issued the regular office receipt for this fee and mailed it to you with this license. The check was remitted to the State Treasurer and went through the regular channels.

We are now advised that the check was returned, marked "Insufficient Funds." Will you kindly mail us a money order or arrange with the bank to take care of the check. Your reply by return mail will be appreciated.

Very truly yours,

Paul L. Henry
Deputy Commissioner of Reclamation

PLH:jl

*Please return check to Bank
as I think the check I received for
sale of Cow is O. K. at least that's what
buyer told me to-day.
Thank You very much, I am,
H. P. Nichols,
May Ida. 17907*

March 25, 1937

~~XXXXXXXXXX~~

Barzilla W. Clark

SPECIAL DELIVERY

Re: Permit No. 17907

Mr. Henry P. Nichols
May, Idaho

Dear Mr. Nichols

You recently mailed a check to this department in the amount of six dollars, drawn on the American National Bank at Salmon, a branch of this bank at Idaho Falls. This fee, as you know, was due in connection with the final proof under the above permit.

Several days ago we issued the regular office receipt for this fee and mailed it to you with this license. The check was remitted to the State Treasurer and went through the regular channels.

We are now advised that the check was returned, marked "Insufficient Funds." Will you kindly mail us a money order or arrange with the bank to take care of the check. Your reply by return mail will be appreciated.

Very truly yours,

Deputy Commissioner of Reclamation

PLH:jl

17907

January 30, 1937

Re: Permit No. 17907

HENRY P. NICHOLS
May, Idaho

Dear Sir:

We now have the Field Engineer's report covering the examination which he made on the 20th day of May, 1936 in connection with final proof under your permit No. 17907 to appropriate the waters of Patterson Creek for irrigation and domestic use.

According to this report, the water claimed has been applied to a total of 80 acres in Sec. 18, T. 14 N., R. 23 E., B. M. Therefore, upon receipt of a fee in the amount of \$6.00, we shall issue a license to you for 1.4 second feet of water.

Very truly yours

Chief Clerk & Office Engineer

PLH/cj

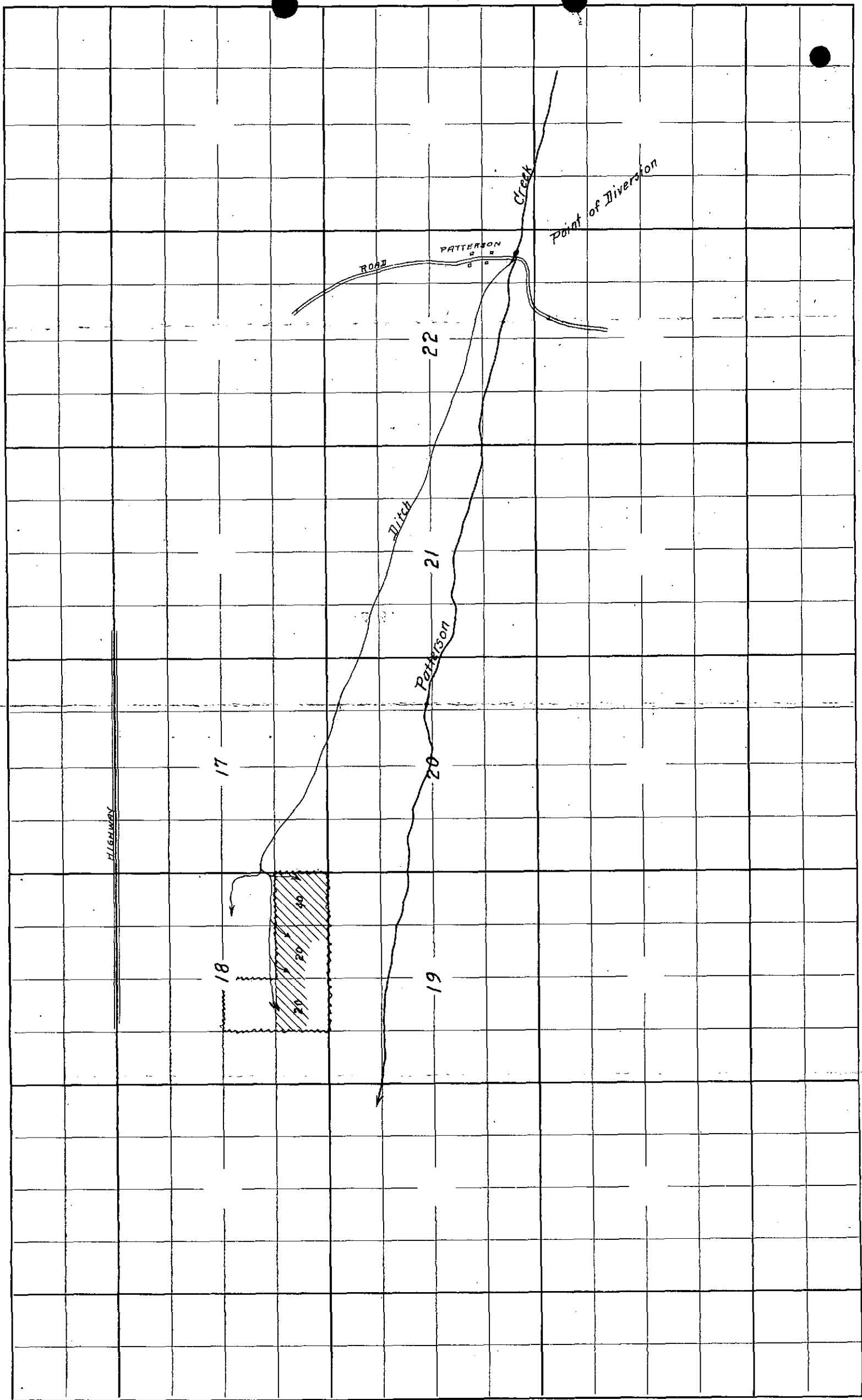
17907

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 17907

REPORT ON PROOF OF Beneficial Use



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 17907

This proof is for Beneficial Use

In Water District No.

1. Name of applicant Henry P. Nichols

2. Source of water supply Patterson Creek

3. Location of point of diversion: Is in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22

T. 14 N. R. 23 E. County of Lemhi

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

10ft long, 4ft wide^{and} 4ft. deep diverts to a community
ditch which is 4ft wide^{and} 1.5ft. deep. and thence to a
farm ditch of 3ft width^{and} 1ft. depth

5. Water is used for: Irrigation & domestic

6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation):

NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, & SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 18, Twp. 14 N., Rg. 23 E.

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

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

Remarks: Water is used upon 40 acres of crop acreage and
the balance pasture

This examination was made on the 20th day of May, 1936

(Signed)

Frederick J. Johnson
Examiner.

Henry P. Nichols
May, Idaho.

Permit No. 17907

2

Examination for Beneficial Use

County Lemhi

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
 2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
 3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
 4. If any unusual conditions are discovered, make a plain statement of them under remarks.
 5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
-

Oct. 2, 1935.

Re: Permit No. 17907

Mr. Henry P. Nichols
May, Idaho.

Dear Sir:

This will acknowledge receipt of the deposition of the holder, depositions of two witnesses and the affidavit of proof of publication from the newspaper, all in connection with beneficial use proof under the above permit.

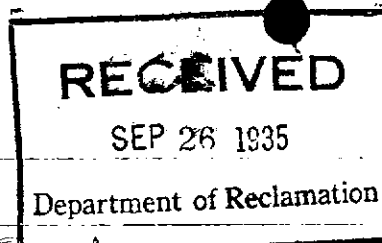
Before final action can be taken in this matter, the law requires that a field examination be made by an engineer from this department. We are unable to say just when this examination will be made since the department has but one field engineer who makes examinations all over the state. However, Mr. Tolman, Field Engineer for the department, will contact you at the time set for examination so that you may show him over the grounds. After his report is on file in this office you will be further notified as to fees due before the issuance of your license.

Very truly yours,

R. W. Paris
Commissioner of Reclamation

By-----
Chief Clerk & Office Engineer

17907



May, Idaho
Sept. 23, 1935.

Mr. R.W. Fair.

Commissioner of Reclamation,
Boise, Idaho.

Dear Mr. Fair;

I have paid the Recorder Herald the \$10.25 for publication of notice, but to date have not received the affidavit of publication so I thought maybe the newspaper would send it to you.

I hope I have followed your instructions carefully & that the papers are O.K.

Thanking you, I remain,

Yours very truly,
Henry P. Nichols,

May, Idaho

P.S. - I am to day writing the Recorder Herald in regard to notice,

Affidavit of Publication

RECEIVED

SEP 30 1935

Department of Reclamation

State of Idaho,
County of Lemhi

SS.

RALPH B. KNEPPER, being duly sworn, upon oath deposes and says: I am the printer,

NOTICE FOR PUBLICATION

Notice of Proof Application of Water to Beneficial Use.

Notice is hereby given that at 10:00 a. m. on the 20th day of September, 1935 at May, Idaho, County of Lemhi, State of Idaho, before Vina Thompson, notary public, proof will be submitted of the application to beneficial use of 1.4 cubic feet per second of the waters of Patterson creek in accordance with the terms and conditions of Permit No. 17907 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 Henry P. Nichols, May, Idaho.

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

The amount applied to beneficial use is 1.4 cubic feet per second.

The place where said water is used is E $\frac{1}{2}$ SW $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 18, T. 14 N., R. 23 E., B. M.

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

The right to take water from such works is based upon Permit No. 17907.

The source of supply from which such water is diverted is Patterson creek.

The date of the priority which said user is prepared to establish is September 21, 1934.

R. W. FARIS,
Commissioner of Reclamation.
Aug. 28 to Sept. 18—4t.

publisher, and sole proprietor of the RECORDER HERALD, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein.

That the Notice for Publication

----- a true printed copy of which is attached to the margin hereof, has been and was correctly printed and published in the regular and entire issue of every number of said newspaper and not in any supplement thereof or thereto for four consecutive issues, commencing with the issue dated August 28, 1935 and ending with the issue dated -----

Sept. 18, 1935

Ralph B. Knipper

Subscribed and sworn to before me, this 19th day of Sept., 1935

P. A. McCall

Notary Public for the State of Idaho,
Residing at Salmon, Idaho.

Publication Fee \$ 10.25 Paid

17907

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
SEP 26 1935
Department of Reclamation

Permit No. 17907

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans.

Henry S. Nichols May, Idaho.
Ranching & Stock Raising.

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.

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

Ans.

17907 April 26, 1934 - Sept. 21, 1934.

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

Ans.

Patterson Creek S.E. 1/4 S.E. 1/4 Sec 22, Twp. 14 N. R. 23 E. B.

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.

Weir, ditch, & dam. Height of dam, 2 ft. length at top 14 ft.
length of dam at bottom 14 ft. Material used rock & earth.
Weir width 5 ft. height 4 ft. Ditch width at 3 ft. width at waterline
5 ft. depth of water 1 ft. Length of ditch 3 miles. Will carry 400 inches
Nichols Ditch, - 160 acres.

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

Ans.

Irrigation & Domestic Twp. 14 Range 23 Sec 18
NE 1/4 - 40 S.E. 1/4 - 40 S.W. 1/4 - 40 S.E. 1/4 - 40 - Total 160 acres
NE 1/4 & S.W. 1/4 - 80 acres. Irrigated so far. Some cultivated some
meadow. NE 1/4 SW 1/4, SE 1/4 SW 1/4, SW 1/4 SE 1/4 & SE 1/4 SE 1/4, Sec 18, T
14 N., R. 23 E., B. M.

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

Ans.

17907

Ques. 8. What is the minimum amount of water required for the purpose specified above?
Ans. One to the acre or 16 inches. Holder of 90 in permit previous.

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

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.
Ans. Water used during time water right allowed from May first until Aug first 1935 - 70 inches.

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

Ans. 90 inches from Patterson back under ~~Permit~~ License No. 5391 with a priority of July 24, 1908, obtained by Frank Hammond.

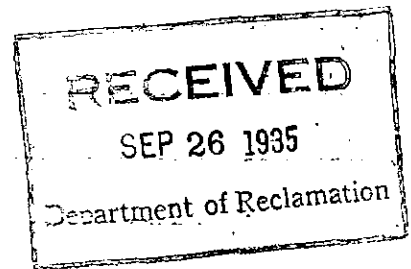
(Sign) Henry P. Nichols

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 May, County of Terrell, State of Idaho, on this 20th day of September, A. D. 1935.

Vina Thompson
May, Idaho

My commission expires 5/25/36

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



PERMIT NO. 17907

Proof of Application of Water to Beneficial Use

Deposition of Witness

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

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

Ans. Carl J. Herman age 48 ~~Idaho~~ Patterson
Franklin, May, Ida.

Ques. 2. Are you acquainted with Henry P. Nichols, the holder of Permit No. 17907? How long have you known him and where does he reside?

Ans. Fourteen years at Patterson Idaho.

Ques. 3. Have you read or heard read said Permit No. Yes, 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. is in the N.E. 1/4 & E. 1/4 Sec. 22, T. 14 N., R. 23 E., B. M.
and the land the water is to be used
on is S. 1/2 & W. 1/4 & S. 1/2 N.E. 1/4 Sec. 18, T.
14 N., R. 23 E., B. M.; 16.0 acres.

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. (400) Four hundred inches

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

Ans. for irrigation on N.E. 1/4 & S.W. 1/4
of section 18, some cultivated and natural
meadow land.

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

Ans. _____

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. 160 Acres, 1 inch to the acre, or 60 inches

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. (400) Four hundred inches in June

(Signed)

Carl J. Herman

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 May, County of Lewia, State of Idaho, on this day of September 20th, A. D. 1935

Irvin Thompson

Notary Public.

My commission expires 5/25/36

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED

SEP 26 1935

Department of Reclamation

PERMIT NO. 17907

Proof of Application of Water to Beneficial Use

Deposition of Witness

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

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

Ans. Flora Herman Patterson, Idaho.
Wife 35 yrs old May Idaho.

Ques. 2. Are you acquainted with Henry Nichols, the holder of Permit No. 17907? How long have you known him and where does he reside?

Ans. Seventeen years. He resides at his ranch on Patterson Creek.

Ques. 3. Have you read or heard read said Permit No. 17907, 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. Patterson Creek

Point of Diversion is in the SE 1/4 Sec. 22 T. 4 N., R. 23, B. M.
Carried by ditch 3 miles with 5 feet of water line.
Government Wier at Head of Ditch

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. 400 inches. I have seen in this ditch

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

Ans. For Irrigation and Domestic use

NE 1/4 SW 1/4 this is 800 ft. across section 8.
Some cultivated, some meadows

17907

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

Ans. None

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. 160 inches of water

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. Was there last year and there was a total of about 7000000 of water as this was at time of high water.

(Signed) Flora H. Herman

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 May, County of Lemhi, State of Idaho, on this day of September 20th, A. D. 1935.

My commission expires 5/25/36

David Thompson
Notary Public.

September 3, 1935

Re: Permit No. 17907

MR. HENRY P. NICHOLS,
May,
Idaho

Dear Sir:

Under date of September 19th we mailed your notice of proof of application of water to beneficial use to the Recorder Herald at Salmon Idaho. A few days later the notice was returned to us with a statement to the effect that the notice had not been received in sufficient time to allow for the four weeks publication prior to September 14th, which was the date you had designated for offering proof. We, therefore, changed the date for proof to SEPTEMBER 20, 1935.

The depositions for this proof have been mailed to Vina Thompson, Notary Public, and you should appear in said Notary's office on September 20th with two disinterested witnesses, who are familiar with the terms and conditions of your permit, to execute the same. After the depositions have been properly executed they should be returned to this office with the affidavit of publication from the newspaper.

Very truly yours,

R. W. PARIS
Commissioner of Reclamation

By _____
Assistant Chief Clerk

C

cc - Vina Thompson, Notary Public, May, Idaho

17907

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

Re: Permit No. 17907

BOISE, IDAHO,
August 29, 1935

VINA THOMPSON, Notary Public
May,
Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 17907

DEPOSITION OF PERMIT HOLDER,
DEPOSITIONS OF TWO WITNESSES.

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

1. On September 20, 1935, the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at May, Idaho before Vina Thompson, 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 the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued.

Yours truly.

R. W. FARIS
Commissioner of Reclamation.

17907

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date August 26, 1935

Re: Permit No. 17907

EDITOR, RECORDER-HERALD
Salmon, Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to September 20, 1935, the date set for proof, the expense of the publication to be paid by the applicant, HENRY P. NICHOLS, May, Idaho, to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

R. W. FARIS

Commissioner of Reclamation.

17907

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date August 19, 1935

Re: Permit No. 17907

EDITOR, RECORDER HERALD
Salmon,
Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to September 14, 1935, the date set for proof, the expense of the publication to be paid by the applicant, HENRY P. NICHOLS, May, Idaho, to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

R. W. FARIS

Commissioner of Reclamation.

17907

THE RECORDER HERALD

OFFICIAL PAPER OF LEMHI COUNTY

RALPH B. KNEPPER
PUBLISHER-OWNER

SALMON, IDAHO

August 22, 1935

RECEIVED

AUG 24 1935

Department of Reclamation

Department of Reclamation,
Boise, Idaho.
Gentlemen:

I am returning the copy of notice for publication for a change of dates. I go to press Wednesday afternoon and the copy did not reach me until Wednesday night. In order to get four publications prior to Sept. 14 the notice should have appeared in my issue of Aug. 21.

Yours sincerely,

Ralph B. Knepper

Ralph B. Knepper

17907

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) Aug. 12, 1935
(P. O.) May, Idaho

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

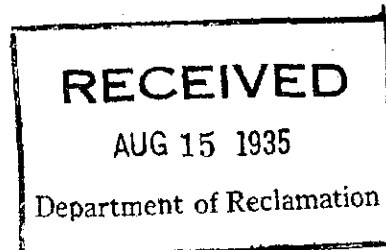
You are hereby authorized to have the attached notice published at my expense in the Recorder-Herald of Salmon, Idaho, published in the county in which the works are situated.

Henry P. Nichols

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well-known and competent engineer)

I hereby certify that the facts set forth in the attached notice are true.

Engineer.



17907

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 a. m. on the 20th day of September, 1935,
at May, Idaho, County of Lemhi, State of Idaho,
before VINA THOMPSON, Notary Public, proof will be submitted
of the application to beneficial use of 1.4 cubic feet per second of the
waters of Patterson Creek in accordance with the terms and conditions of
Permit No. 17907 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.....
HENRY P. NICHOLS, May, Idaho

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

The amount applied to beneficial use is 1.4 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands
irrigated) E $\frac{1}{2}$ SW $\frac{1}{4}$, & SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 18, T. 14 N., R. 23 E., B. M.

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

The right to take water from such works is based upon Permit No. 17907

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

The date of the priority which said user is prepared to establish is September 21, 1934.

Commissioner of Reclamation.

17907

RECEIVED
AUG 11 1935
May, Ida.
DEPARTMENT OF RECLAMATION
Aug 5, 1935

Dept. of Reclamation,
Boise, Ida.

Mr. R. W. Fairis, Commissioner.

Dear Mr. Fairis,

I will try & see
if we can get \$10.00 together, to meet
the cost of publication of final proof
for Permit No. 17907 Patterson Creek
Terrell County. Please send the
proper form & try & make the effort
as cheap as possible as we
have a large family & money is
scarce till the time of the year.

Thanking you for this & past favors,
I remain,

Yours truly,
Henry P. Nichols.
May, Idaho.

P.S. - Couldn't you still have the
priority date the same as the
original? Thank you.

17907

August 8, 1935

Re: Permit No. 17907

MR. HENRY P. NICHOLS

May,
Idaho

Dear Sir:

We are enclosing herewith notice in duplicate for publication in connection with final proof and also a form upon which you may authorize the publication of the notice in some one of your county papers, as per your letter of August 5th. When these papers have been properly completed, kindly forward them to this department and we shall advise you further as to the procedure. It is suggested that you fix the date for proof at least a month ahead so that there will be ample time for the publication. You can probably find some Notary Public in May, before whom proof may be offered.

The only expense that you will have at this time will be for the cost of the publication and the newspaper will bill you direct for this service.

We are sorry to advise you that the priority date cannot be the same as the originally was since it is specifically provided by law that when final proof is late the priority must be advanced by the amount of time it is late. However, this should not affect you in any way since if you make the proof immediately, your right will still be prior to that of Kirkpatrick and his associates who filed on 10 second feet of water from Patterson Creek.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PLH/rg
Encl.

17907

What do I
have to do next, I
have completed works
as required, Please
let me know and try
to save me as much
expense as possible,
My permit No. is
17907 - Patterson
Creek District 19
Lemhi County,
Thanking you,
Remain,

Yours truly
H. P. Nichols
17907 May, Idaho.



THIS SIDE OF CARD IS FOR ADDRESS

Department of Information

RECEIVED

JUN 19, 1935

Commissioner of Reclamation
State of Idaho
Boise,
Ida.

June 20, 1935

Re: Permit No. 17907

MR. H. P. NICHOLS
May,
Idaho

Dear Sir:

Reference is made to your communication of recent date.

As you know, proof of completion of works has been offered under this permit and a certificate of completion of works issued thereunder.

Final proof was due April 26, 1935. In spite of the fact that the date for this proof is past due, it can be offered at any time, except that the date of priority will be advanced by the amount of time the proof is late.

When you offer this proof a publication will have to be made which will likely cost you about \$10.00. There will be no further expense until after a field examination has been made by this department.

If it is possible, this proof should be offered not later than September of this year, since if it goes much longer than that another permit, authorizing the diversion of 10 second feet of water, will take a prior date to your permit.

We shall be glad to furnish the proper forms for the proof at any time you may desire them.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PLH/rg

17907

March 18, 1935

RE: Permit No. 17907

MR. HENRY P. NICHOLS
May,
Idaho

Dear Sir:

We are enclosing herewith Order Reinstating Permit and Certificate of Completion of Works, issued under the above numbered permit and which have been made a matter of record in this office.

We are also enclosing our office receipt in the amount of \$5.00.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation.

By _____
Assistant Chief Clerk

G
Encl.

17907

PERMIT No. 17907

RECEIVED

MAR 15 1935

DEPARTMENT OF RECLAMATION

Proof of Completion of Works

DEPOSITION OF HOLDER

Sec. 41-311, Idaho Code Annotated
 In compliance with Sec. 5597, Compiled Statutes of Idaho.

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

Ans. Henry P. Nichols. Ranching, May, Idaho.

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

Ans.

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

Ans. 17907, 4/26-34, 1.4 Cubic feet per second, 7.0 inches.
 Patterson Creek, in the S.E. 1/4 of S.E. 1/4 of Section 22, Twp. 14 N. of R. 23 E. B.M.
 Lemhi County

Ques. 4. State purpose for which water is to be used, and, if for irrigation, state the number of acres and give description of the land you have reclaimed or intend to reclaim.

Ans. Irrigation & Domestic for 160 acres.
 S. 2 S. E. 1/4 of S. W. 1/4 of Section 18, Township 14 North of
 Range 23 E. B.M.

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

Ans. Water from Patterson Creek has been used on this land
 for years. It was measured into ditch 11-34 by water master Dist. 19

Ques. 6. State whether or not the works of diversion are fully completed, if so on what date, and whether or not they comply in all respects with terms of the permit: terms of permit.

Ans. Fully completed Oct. 1, 1934 & comply in all respects with

Ques. 7. If the works of diversion do not comply with all the terms of your permit, state fully those particulars in which there is any variance.

Ans.

Ques. 8. Give description of works and state dimensions and capacity of each part as they existed on Oct. 1, 1934, and give cost of same.

Ans. Dam at head 2 ft. height, length of dam at top 14 ft. length of dam at
 bottom 14 ft. Material, Rock & earth, ditch headgate width 5 ft. height 4 ft. 200
 ditch, bottom 3 ft. waterline 5 ft. depth of water 1 ft. length of ditch 3 miles

(Sign here.) Henry P. Nichols.

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 May, County of

Lemhi, State of Idaho, on this 12th day of

March, A. D. 1935

My Commission expires 5/25/36

Umat Thompson
 Notary Public.

17907

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

PERMIT No. 17907.

Proof of Completion of Works

DEPOSITION OF WITNESS

In compliance with Sec. 41-311, Idaho Code Annotated, Sec. 5592, Compiled Statutes of Idaho.

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

Ans. Mrs. Carl F. Herman
May, Ida.

Ques. 2. Are you acquainted with Henry P. Pickles, the holder of Permit No. 17907 authorizing the diversion of 1.4 second-feet of the waters of Patterson Creek, at for irrigation purposes? How long have you known him, and where does he reside?

Ans. Fifteen years. May, Ida.

Ques. 3. Have you read or heard read said Permit No. 17907, and are you familiar with its terms and conditions?

Ans. (Yes.)

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. (Yes.) S. 2. E. 4 E. 2 S. W. 4 of Section 18 Township 14 N. of R. 23 E. B. M.
160 acres. One inch to acre.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use? If so, when were they so completed?

Ans. (Yes.) Oct 1st 1934

Ques. 6. Describe the works of diversion as they existed on the date stated in answer to Question 5, and give your estimate of their capacity on that date.

Ans. Dam at head 2 ft. high. Length of dam at top 14 ft. Length of dam at bottom 14 ft. Material Rock & earth. headgate width 5 ft. height 4 ft. ditch bottom 3 ft. Waterline 5 ft. Depth of water 1 ft. Length of ditch 3 miles.
(Sign here.) Mrs. Carl F. Herman

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in May, County of

Lemhi, State of Idaho, on this 12th day of

March, A. D. 1935

My Commission expires 5/25/36. Una Thompson
Notary Public.

17907

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

PERMIT No. 17907

Proof of Completion of Works

DEPOSITION OF WITNESS

Sec. 41-311, Idaho Code Annotated
In compliance with Sec. 5594, Compiled Statutes of Idaho.

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

Ans. Carl J. Herman Branding May Idaho

Ques. 2. Are you acquainted with Henry D. Pickles, the

holder of Permit No. 17907... authorizing the diversion of 1.4.....second-feet of the waters

of Patterson Creek....., at S.E. 1/4 of Sec. 14, T. 22 N. of R. 23
for irrigation purposes? How long have you known him, and where does he reside?

Ans. Fifteen years, May Idaho.....

Ques. 3. Have you read or heard read said Permit No. 17907....., and are you familiar with its terms and conditions?

Ans. (Yes.).....

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. (Yes.) 1.2 S.E. 1/4 Sec. 18, T. 22 N. of R. 23
1.60 acres. One inch to acre......

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use? If so, when were they so completed?

Ans. (Yes.) Oct. 1st 1934.....

Ques. 6. Describe the works of diversion as they existed on the date stated in answer to Question 5, and give your estimate of their capacity on that date.

Ans. Dam at head 2 ft high, Length of dam at top 14 ft. Length of dam at bottom 14 ft. Material Rock & earth. headgate width 5 ft height 4 ft ditch bottom 3 ft. Watertime 5 ft. Depth of water 1 ft. Length of ditch 3 miles.

(Sign here.) Carl J. Herman.....

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in May....., County of

Lemhi....., State of Idaho, on this 12th..... day of

March..... A. D. 1935

My Commission expires 5/25/36.....

Vina Thompson
Notary Public.

17907

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Reinstatement)
of Permit No. 17907 Under the)
Provisions of Section ~~5594~~, Idaho 41-311,) **ORDER REINSTATING PERMIT**
~~Compiled Statutes Idaho Code Annotated.~~)
_____)

WHEREAS, Permit No. 17907 lapsed through failure of the holder to make proof of completion of the works of diversion within the time specified in the Permit, to-wit: October 26, 1934; and,

WHEREAS, On the 20th day of February, 1935 notice to show cause why said permit should not be canceled, under the provisions of Section ~~5594~~, Idaho Code Annotated 41-311, ~~Compiled Statutes Idaho~~, was duly served on the holder of said permit; and,

WHEREAS, On the 6th day of March, 1935 the holder filed notice of appearance to offer proof to show that the works of diversion under said permit were fully completed within the time required; and,

WHEREAS, On the 15th day of March, 1935 depositions of the holder and two witnesses were received at the Department of Reclamation showing that the said works of diversion were completed within the time required in the permit; and,

WHEREAS, After examination of the said depositions, the Commissioner of Reclamation of the State of Idaho, is fully satisfied that the works of diversion were completed as required under the terms of said Permit No. 17907, and that the holder has acted in good faith;

IT IS, THEREFORE, Hereby Ordered that said Permit No. 17907 be, and the same is, hereby reinstated, and that a certificate of completion of works 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 15th day of March, 1935.



Commissioner of Reclamation

By _____ Assistant

17907

March 6, 1935

Re: Permit No. 17907

MR. HENRY P. NICHOLS
May,
Idaho

Dear Sir:

This will acknowledge receipt of your notice of appearance wherein you state that the works required under Permit No. 17907 were fully completed on the date proof of completion of works was due and that you will offer proof to that effect.

We are, accordingly, enclosing special depositions, consisting of one for the holder and one each for two witnesses, which must be executed before a Notary Public or some other public official who is empowered to administer oaths.

Upon receipt of these papers, together with the statutory fee of \$5.00, we shall issue an order reinstating the permit, which can be followed immediately by the Certificate of Completion of Works. This procedure will serve to restore your permit to good standing and no additional cost will be incurred in connection therewith.

Very truly yours,

R. W. MARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PLH:RG
Encl.

17907

RECEIVED

MAR 6 1935

Department of Reclamation

NOTICE OF APPEARANCE

To Commissioner of Reclamation

Boise, Idaho.

Dear Sir:

Receipt of notice that Permit No. 17907

is held for cancellation, under the provisions of Section
41-511 Idaho Code Annotated, is acknowledged.

I hereby enter an appearance and will offer proof
to show that the works required thereunder were fully com-
pleted on the date proof of completion of works was due.

Dated at May Idaho, this Second
day of March, 1935.

Henry P. Nichols
Applicant

By _____
Agent

17907

Post Office Department

OFFICIAL BUSINESS

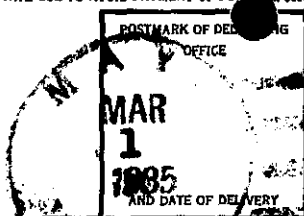
REGISTERED ARTICLE

No. _____

INSURED PARCEL

No. _____

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300



Return to _____

(NAME OF SENDER)

*Street and Number, }
or Post Office Box, }* _____

BOISE,

IDAHO.



RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

Henry Nichols

(Signature or name of addressee)

J. H. Robison

(Signature of addressee's agent)

Date of delivery, _____

3-1, 193*5*

Form 3811

U. S. GOVERNMENT PRINTING OFFICE: 1924

17907

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

3407

February 20, 1923.

Re: Permit No. 17907

To: HENRY P. NICHOLS

May, Idaho

It appearing to the Commissioner of Reclamation that the terms and conditions of Permit No. 17907, to appropriate the Public Waters of the State of Idaho, have not been complied with as to

Proof of Completion of Works

Sec. 41-311, Idaho Code Annotated

you are hereby notified in compliance with ~~Sec. 5524, Compiled Statutes of Idaho~~, that said Permit No. 17907

is hereby held for cancellation.

You are hereby required to show cause before the Commissioner of Reclamation on or before forty days from date of this notice why said Permit should not be cancelled.

Said Permit No. 17907 claims the use of 1.4 cubic feet per second of the waters of Patterson Creek, with point of diversion located

SE 34th, Sec. 22, T. 14 N., R. 23 E.

was approved April 26, 1934

In Witness Whereof, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, this

20th day of February, 1923.



Commissioner of Reclamation.

By _____ Assistant.

Enclosed herewith is proper form upon which you may file your notice of appearance for the purpose of reinstating your permit. Upon its receipt special depositions for proof will be mailed to you.

17907

December 7, 1934

Re: Permit No. 17907

MR. HENRY P. NICHOLS

May,
Idaho

Dear Sir:

We have your letter of December 3rd with which you again mailed us your affidavit for proof of completion of works in connection with the above permit.

You say that the reason proof was not offered within the time specified in your permit was due to the fact that you could not get hold of the necessary \$5.00 which had to accompany the affidavit. We wish to assure you that we are fully advised as to what the financial conditions have been the past few years and particularly so with some of the farmers through out the drought stricken areas. However, we trust that you can also appreciate the fact that the laws are enacted by the legislature and we, as employees of the state, have no alternative but to attempt to carry out their provisions. As we previously stated, the law, with reference to proof of completion of works under any permit claiming 6.4 second feet or less, specifically provides that proof shall be filed on or before the date when it is due or within 10 days thereafter. Your proof was not received until November 26th which, of course, could not be accepted. Had you communicated with this office any time within the 60 days which you had, under the notification that your proof would be due on October 26th, an extension of time could have been granted at no expense.

In our letter of November 28th, we stated that if the works were completed prior to October 26th, you could offer proof on special depositions and upon receipt of which, in proper form, the permit could be reinstated. We qualified this statement by saying that the commissioner must be satisfied that you had acted in good faith in attempting to comply with the terms of the permit. This, of course, must be true in any transaction.

It is not the intent of this office to work a hardship upon anyone nor to cancel anyone's permit when the party holding same has made any attempt to comply with the requirements.

About the 15th of January, 1935, we shall serve notice of cancellation on all of the holders of permits which lapsed during the month of October. This proceeding is outlined under the provisions of Section 41-311, Idaho Code Annotated. At that time we shall enclose a notice of appearance with your notice of cancellation for your convenience.

17907

2. Mr. Henry P. Nichols, May, Idaho

12/9/34

You stated that the works were fully completed within the required time, so if upon receipt of these papers you will fill out the notice of appearance and return it to this office, special depositions will be mailed to you immediately upon it's receipt, which depositions must be executed before a Notary Public. Your fee of \$5.00 should be mailed to this office when the depositions are returned. This procedure will cause you no additional expense and will serve to reinstate your permit.

We trust that our position has been made plain to you in the foregoing explanation.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

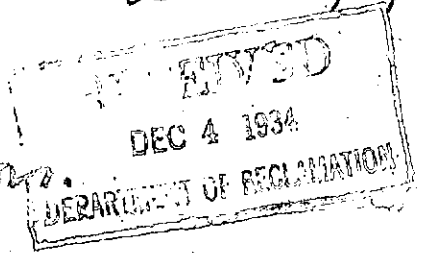
PLH:RG

Encl. Affidavit and check for \$5.00

17907

May, Idaho.
Dec. 3, 1934.

Mr. R. W. Fair.
Commissioner of Reclamation.
Boise, Ida.



Dear Mr. Fair;

I am returning the proof of completion of work and check for \$5.00 which you can hold until you are satisfied that I acted in good faith. I cannot help it Mr. Fair if I could not get hold of the money. I am a taxpayer and keep my taxes paid to date and should be shown some consideration. We owed money to a closed bank here in Salmon and they took everything we took in, but our citizens' checks and they were out a week. How would you salary men like that kind of a man for a wife & five children. I can prove that this is the case and also that I have completed my work a long time ago and also that I have used Patterson back water on this land nearly eight years now. You can write to Mr. Wallace Boy, the water master here or anyone in this Pahrump-Valley and they will tell you that I am telling the truth. I think if I write to Governor Owen about this he will help me as I know a very good friend of his in Idaho. He told me that Governor Ross sympathized with us farmers who were being crowded out of these closed banks. We are poor people but honest and can't even afford a car or relief had one. I do hope Mr. Fair you will look at this in the right way and try and help us and save us all the expense you can. I have used this water as stated nearly eight years, but I thought I had better file on it to make the use of it legal. Thanking you for this favor, I remain,
your truly,
W. P. Nichols, May, Ida.



C. BEN ROSS, GOVERNOR

BUREAU OF WATER RESOURCES
MANS H. COFFIN
DIRECTOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

R. W. FARIS, COMMISSIONER

BOISE

November 28, 1934

Re: Permit No. 17907

MR. HENRY P. NICHOLS
May,
Idaho

Dear Sir:

Under date of November 26th, we received your affidavit for proof of completion of works under the above permit. As you were advised, several months ago, proof of completion of works was due under this permit on October 26th. The statute governing this procedure provides that proof will be submitted on or before the date when it is due or within 10 days thereafter. Consequently, your proof cannot be accepted. In the event that the works were completed prior to October 26th you can offer proof on special depositions and the permit can then be reinstated, providing that the commissioner is satisfied that you have acted in good faith in attempting to comply with the terms of the permit.

If this is not the case the permit will be cancelled at a later date in compliance with Section 41-311, Idaho Code Annotated.

We are returning your affidavit and also your check in the amount of \$5.00.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By *Paul Z. Henry*
Chief Clerk & Office Engr.

PLH:RG

Encl. Affidavit of Holder, Check for \$5.00

November 28, 1934

Re: Permit No. 17907

MR. HENRY P. NICHOLS
May,
Idaho

Dear Sir:

Under date of November 26th, we received your affidavit for proof of completion of works under the above permit. As you were advised, several months ago, proof of completion of works was due under this permit on October 26th. The statutes governing this procedure provides that proof will be submitted on or before the date when it is due or within 10 days thereafter. Consequently, your proof cannot be accepted. In the event that the works were completed prior to October 26th you can offer proof on special depositions and the permit can then be reinstated, providing that the commissioner is satisfied that you have acted in good faith in attempting to comply with the terms of the permit.

If this is not the case the permit will be cancelled at a later date in compliance with Section 41-311, Idaho Code Annotated.

We are returning your affidavit and also your check in the amount of \$5.00.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PLH:BG
Encl. Affidavit of Holder, Check for \$5.00

17907

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

HENRY P. NICHOLS
May, Idaho

Boise, Idaho, August 11, 1934

Dear Sir:—

Under the terms of your permit No. 17907.....you are required to complete your diversion works on or before Oct. 26, 1934. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

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

Yours truly,

R. W. PARIC

Commissioner of Reclamation.

17907

April 27, 1934

Re: Permit No. 17907

MR. HENRY P. NICHOLS
May,
Idaho

Dear Sir:

This will acknowledge receipt of your application to appropriate 1.4 cubic feet per second of the waters of Patterson Creek and also your fee of \$5.25. Your application has been approved and permit issued thereunder which we are enclosing for your files.

If there is sufficient water in Patterson Creek at the present time to satisfy all existing rights, anything over and above this amount should go toward satisfying your claim under this permit.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PLH:RG
Encl. Office Receipt for \$5.25

17907



C. BEN ROSS, GOVERNOR

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

BUREAU OF WATER RESOURCES
MANS H. COFFIN
DIRECTOR
ASSISTANT COMMISSIONER

August 8, 1932

25072

Re: Application for Permit

MR. HENRY P. NICHOLS
May, Idaho

Dear Sir:

Under date of April 6th, 1932, an application for permit to appropriate 1.4 cubic feet per second of the waters of Patterson Creek was received in this Department. The applicant was Mr. Henry P. Nichols. The necessary fee did not accompany the application; therefore, under date of April 6th you were informed that you should submit a fee of \$5.25 which is computed at the rate of \$5.00 for the first second foot or less and 25¢ for each additional second foot or fraction thereof.

We have held the application, awaiting a reply from you, but to date we have not received such reply. We are returning the application to you and should you desire to re-file, please return it with the necessary fee and it will pass to permit with a new date of priority.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By Paul L. Henry
Office Engineer
May, Ida.
April 21, 1934

PIH/lwp
Encl.

Mr. R. W. Faris,

Commissioner of Reclamation, Boise, Ida.

Dear Sir:

I enclosed find \$5.25 as requested for water permit. Please notify watermaster at once so that I can get my water while it is here. Thanking you I remain,
Yours truly,
H. P. Nichols, May, Ida.

17907

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 17907

Boise, Idaho, April 23, 1934

Dear Sir:

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

MR. FERRY P. NICHOLS
May, Idaho

R. W. FARIS
Commissioner of Reclamation.

17907

Henry P. Nichols.

