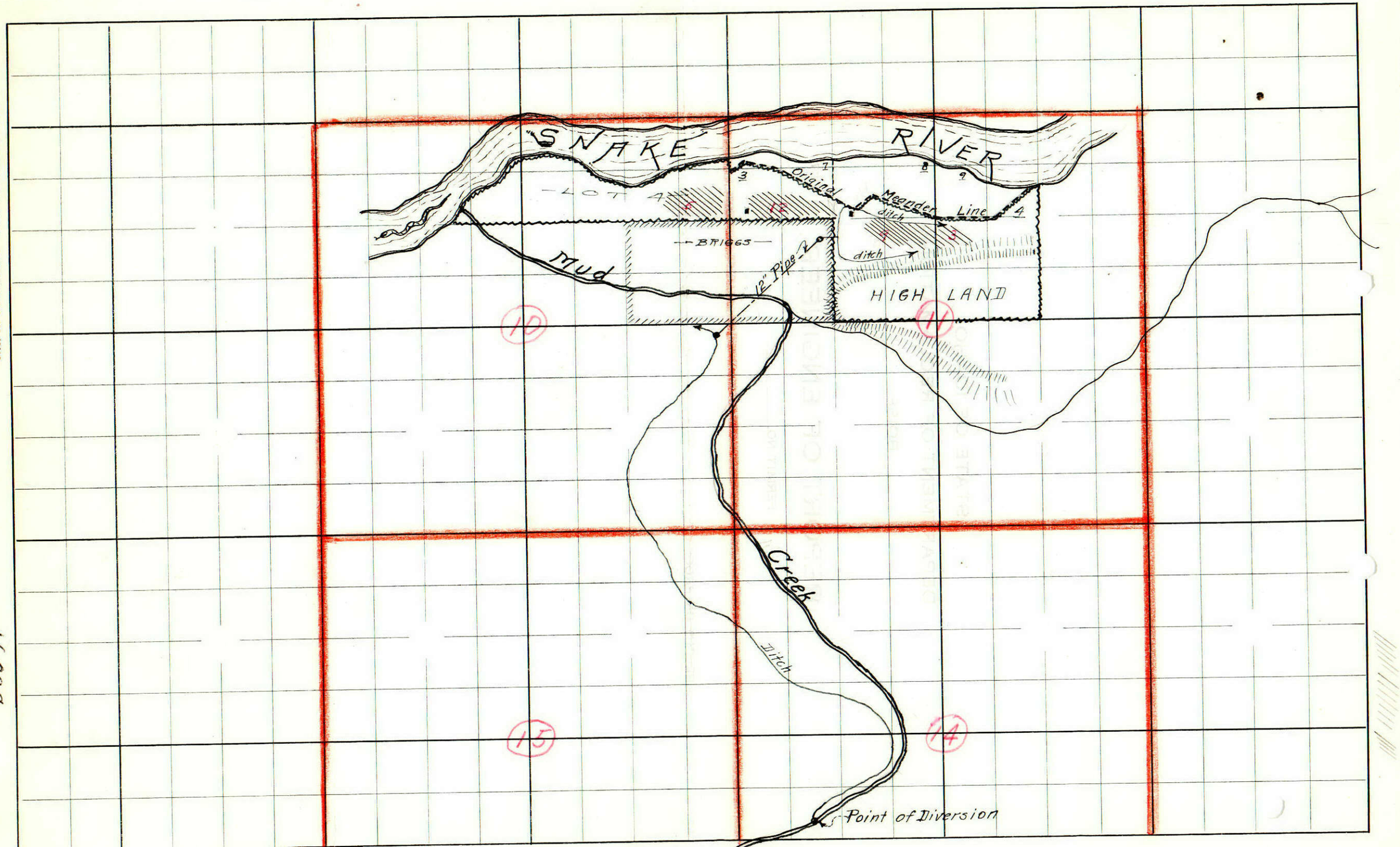
SCALE: 2 INCHES EQUALS 1 MILE. DRAW MAP IN INK.



16399

NOTICE FOR PUBLICATION

Notice of Proof Application of Water To Beneficial Use

Notice is hereby given that at 10 a. m. on the 2nd day of December, 1931, at Twin Falls, County of Twin Falls, State of Idaho, before S. T. Hamilton, a Notary Public, proof will be submitted of the application to beneficial use of 2.68 cubic feet per second of the waters of Mud Creek in accordance with the terms and conditions of Permit No. 16399 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: Otis E. Syster, Buhl, Idaho.

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

The amount applied to beneficial use is 2.68 second feet.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated)

20.85 40.7 40
Lots 3 and 4 and SE¼NW¼, Sec. 11
33.05
and Lot 4, Sec. 10, Twp. 9 S., R. 14 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 .....

The right to take water from such works is based upon Permit No. 16399.

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

The date of priority which said user is prepared to establish is November 27, 1925.

R. W. FARIS,
Commissioner of Reclamation.

Published 33t4

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Twin Falls } ss

I. A. W. McCallum, do solemnly swear that I am the publisher of THE BUHL HERALD, a weekly newspaper of general circulation, published once each week at Buhl, Idaho; that the notice attached hereto was published in said newspaper four consecutive weeks, the first publication having been made on the 15th day of October, 1931, and the last publication having been made on the 5th day of November, 1931; that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

That said newspaper has been printed and published continuously in Buhl, Twin Falls County, Idaho, for a period of more than 78 weeks prior to the first publication of the attached notice.

A. W. McCallum

Subscribed and sworn to before me this 6th day of November, 1931.

S. T. Hamilton

Notary Public

16399

RECEIVED
MAY 25 1982
DEPARTMENT OF RECLAMATION

16399

Buhl, Idaho
November 28, 1931

R. W. Faris
Commissioner of Reclamation
Boise, Idaho

Dear Sir:-

We are inclosing herewith a copy of a notice which appeared in the Buhl Herald, in which it appears that one Otis Syster is about to make proof of application of water for beneficial use for the lands described in said notice. We are herewith submitting an affidavit to the effect that less than three acres of said lands are under cultivation, and that water has never been applied to beneficial use upon said lands other than upon the said three acres or less.

We do not feel that Mr. Syster is entitled to prove up on this water and are desirous of protesting the same. We are in doubt as to whether this affidavit whould be sent to your office or submitted to the notary before whom the proof is to be made. In any event, we feel that this will be sufficient to advise you of the situation in order that you may take such steps as you deem advisable.

Yours very truly,

Samuel D Briggs
O J Smalley
Fred Tanner

NOTICE FOR PUBLICATION

Notice of Proof Application of Water To Beneficial Use

Notice is hereby given that at 10 a. m. on the 2nd day of December, 1931, at Twin Falls, County of Twin Falls, State of Idaho, before S. T. Hamilton, a Notary Public, proof will be submitted of the application to beneficial use of 2.68 cubic feet per second of the waters of Mud Creek in accordance with the terms and conditions of Permit No. 16399 hertofore 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: Otis E. Syster, Buhl, Idaho.

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

The amount applied to beneficial use is 2.68 second feet.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated)

20.85 40.7 40
Lots 3 and 4 and SE¼NW¼, Sec. 11
33.05
and Lot 4, Sec. 10, Twp. 9 S., R. 14 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 .....

The right to take water from such works is based upon Permit No. 16399.

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

The date of priority which said user is prepared to establish is November 27, 1925.

R. W. FARIS,
Commissioner of Reclamation.

Published 33t4

RECEIVED
DEC 2 1931
DEPARTMENT OF RECLAMATION

16399

A. W. McCALLUM

THE BUHL HERALD
BUHL, IDAHO

November 12, 1931

R.W.Faris
Commissioner of Reclamation
Boise
Idaho

Dear Sir:

We sent the proof of publication to Mr. O.E.Syster immediately after the last publication, as he requested.

Very truly,
The Buhl Herald

NOTICE FOR PUBLICATION

Notice of Proof Application of Water To Beneficial Use

Notice is hereby given that at 10 a. m. on the 2nd day of December, 1931, at Twin Falls, County of Twin Falls, State of Idaho, before S. T. Hamilton, a Notary Public, proof will be submitted of the application to beneficial use of 2.68 cubic feet per second of the waters of Mud Creek in accordance with the terms and conditions of Permit No. 16399 hertofore 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: Otis E. Syster, Buhl, Idaho.

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

The amount applied to beneficial use is 2.68 second feet.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated)

20.85		40		40.7

Lots 3 and 4 and SE¼NW¼, Sec. 11

33.05

and Lot 4, Sec. 10, Twp. 9 S., R. 14 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 .....

The right to take water from such works is based upon Permit No. 16399.

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

The date of priority which said user is prepared to establish is November 27, 1925.

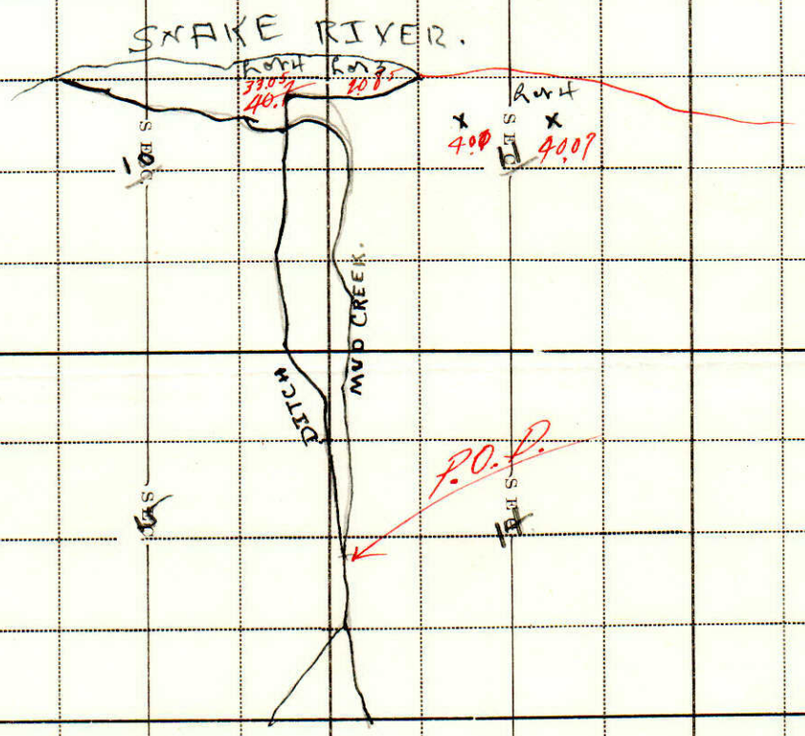
R. W. FARIS,
Commissioner of Reclamation.

Published 3ti4

16399

NAME OF APPLICANT Otis E. Dysten.

Form No. 0



Permit Map No 16399

As Approved

Dec 2, 1925

W. G. SWENDSEN

Commissioner of Reclamation

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

TWP 9S - R 14 E B.M.

16399

State of Idaho

License and Certificate of Water Right

Water License No. 16399

Water District No. .....

Amount 0.58 Sec.Ft.

Priority November 27, 1925

THIS IS TO CERTIFY that Otis E. Syster of R 4 Buhl, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated November 27, 19 25; that Permit No. 16399 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 2.68 second feet, was issued thereunder on September 17, 19 28, showing that said works were completed on the 15th day of September, 19 28; and that on the 2nd day of December, 19 31,

Otis E. Syster

of Buhl, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of Mud Creek, a tributary of Snake River, for the purpose of irrigation and domestic use, under Use Permit No. 16399 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 3723, on the 16th day of February, 19 33;

The right hereby confirmed dates from November 27, 1925;

The Point of Diversion is located in the NW ¼ SW ¼, Sec. 14, Tp. 9 S., R. 14 E., B. M. Twin Falls 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 0.58 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
9 S	14 E	10	Lot 4	33.05	5
		11	Lot 4	40.7	3
		11	Lot 3	20.85	12
		11	SE¼NW¼	40.0	9

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 16th day of February, 1933

R. W. FARIS
Commissioner of Reclamation

(SEAL)

17 2175

N? 16399

APPLICATION FOR PERMIT 47-2175
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 23229
Permit No. 16399
District No. 46

1. Name of Applicant: OTIS E. SYSTER

Postoffice address: Buhl R.F.D.#4 County: Twin Falls State: Idaho

I. If applicant is a corporation, give:
(a) Date and place of incorporation:
(b) Amount of capital stock:
(c) Amount paid in:
(d) Names and addresses of directors:

II. The financial resources of the applicant are:
(a) Cash on hand:
(b) Treasury stock:
(c) Bonds to be issued:
(d) Other resources:

2. Quantity of water claimed: 2.68 cubic feet per second.

3. Source of water supply: Mud Creek which is a tributary of Snake River

4. Location of point of diversion: 1850 feet distant from the Southwest corner of Section 14, T. 9 S., R. 14 E., B. M., and is in the Northwest Quarter of Southwest Quarter of Section 14, T. 9 S., R. 14 E., B. M., County of Twin Falls

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

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: $ 1,800.00

8. Kind of works: Ditch - flume and pipe line

9. Height of dam none feet; length of dam at top feet; length of dam at bottom feet; material used in dam:

10. Size of headgate: Width 2 feet; height 2 feet

11. Ditch: Width at bottom 3 feet; width at water line 4½ feet; depth of water 1 feet; dimensions of flume 3' x 1'
Diameter of pipe 12 inches; length of conduit 1½ miles.
Average grade per mile 30 feet

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

13. The time required for the complete application of the water to the proposed use is three 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.

Otis E. Syster Applicant.

By *Agent.*

Date of first receipt at Department of Reclamation. 9. A.M. Nov. 27, 1925

Returned to applicant for correction.

Corrected application received.

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 16399
Recorded in Book 59 Page 16399 Approved December 2, 1925
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 January 31, 1926 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 June 2, 1927
The whole of said work to be completed on or before December 2, 1928
Beneficial use of water appropriated in accordance herewith, to be made on or before December 2, 1931

Witness my hand this 2nd day of December, 1925

W. G. SWENDSEN
Commissioner of Reclamation.

Remarks:

14 Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9 S.	14 E.	11			Lot 4 40.7		Lot 3 20.85		40										101.55
9 S.	14 E.	10	Lot 4 33.05																33.05
																			134.60

Total number of acres to be irrigated ------- 134.60

Permit No. 16399
CERTIFICATE OF COMPLETION OF WORKS

To All Whom It May Concern:

This is to certify that Otis E. Syster, of Buhl, County of Twin Falls, and State of Idaho, the holder of Permit No. 16399, issued upon Application No. 23229, bearing date of priority of November 27, 1925, authorizing the diversion of 2.68 second feet of the waters of Mud Creek, County of Twin Falls, 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 2.68 second feet of the waters of Mud Creek; that the point of diversion of said waters is in the NW¼SW¼, Sec. 14, Twp. 9 S., R. 14 E., B.M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Lots 3 and 4 and SE¼NW¼, Sec. 11, and Lot 4, Sec. 10, Twp. 9 S., R. 14 E., B.M.

Witness my hand this 17th day of September, A.D. 1928.

GEO. N. CARTER
Commissioner of Reclamation

By Myron Swendsen,
Assistant.

Proof of completion made September 15, 1928.
Certificate issued September 17, 1928.

LICENSE ISSUED FOR 2.68 SEC. FT.
Vol 7, page 3723

Burley Idaho

Feb 14th 1933.

To The Department of Reclamation

Boise Ida

Dear Sirs,

On Jan 30th I mailed to you check as per instructions to me in letter from you of date Jan 26th of 1933- for license to permit (RE) No - 16399. And to-day I heard from you. Can it be the check been returned to the bank, just called to learn this morning. Please let me know at once if it has failed to reach you so I may issue another, in its place.

Yours Sincerely

Otis E Lyster

Rt 4. Burley Idaho

RECEIVED
FEB 17 1933
DEPARTMENT OF RECLAMATION

16399

February 16, 1933

RE: PERMIT NO. 16399

MR. OTIS E. SYSTER
Route 4
Buhl, Idaho

Dear Sir:

We enclose herewith your LICENSE AND CERTIFICATE OF WATER RIGHT issued today under the above permit for 0.58 second feet of the waters of Mud Creek, Twin Falls County, bearing date of priority of November 27, 1925.

We enclose also office receipt for $8.00 submitted by you in fees due for this proof.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By_____
Chief Clerk & Office Engr.

PLH:MC
Encls.

16 399

Buhl Idaho.

Jan 30 - 1933

The Department of Reclamation
Boise Idaho
Mr R W Faris Commissioner

Dear Sir:

I am herewith enclosing Two Checks for $8.00 as per Your letter of Jan 24 th. to pay for My water Licence under Permit No. 16399.

Most Sincerely Yours

Otis E. Syster

Buhl
Idaho

R H.

RECEIVED
FEB 1 1933
DEPARTMENT OF RECLAMATION

16399

OFFICE OF THE COMMISSIONER OF RECLAMATION

BOISE, IDAHO

IN THE MATTER OF PROTEST AGAINST ISSUANCE OF LICENSE UNDER PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO, NO. 16399

SAMUEL D. BRIGGS O. L. SMALLEY LEE TOWNER Protestants vs. OTIS E. SYSTER Protestee	ORDER DISMISSING PROTEST

Under date of November 27, 1925, Otis E. Syster made application No. 23229 for Permit to divert 2.68 second feet of the waters of Mud Creek, a tributary of Snake River, in Twin Falls County, Idaho, for the purpose of irrigating the following described land, to-wit: Lots 3 and 4 and SE¼NW¼ of Section 11, and Lot 4 in Section 10, all in Township 9 South, Range 14 East, Boise Meridian, and for domestic use.

Under date of December 2, 1925, Permit No. 16399 was issued to applicant to divert water for the irrigation of said above mentioned and described land, and for domestic use, with a priority of November 27, 1925.

On September 15, 1928, the permit holder offered proof of Completion of Works, and, under date of September 17, 1928, Certificate of Completion was issued to him.

Under date of October 15, 1931, the permit holder published his first notice of his intention to make proof of application of water to Beneficial Use, in the Buhl Herald, a newspaper

16399

of general circulation, published at Buhl, Twin Falls County, Idaho, whereupon protest against issuance of license to the permit holder was filed, under date of November 30, 1931, as follows:

> Samuel D. Briggs and O. L. Smalley and Lee Towner, all of Buhl, Idaho, being first duly sworn according to law, each for himself, deposes and says:
>
> That he is familiar with the following described lands, situated in Twin Falls County, State of Idaho:
>
> Lots 3 and 4 and the Southeast Quarter of the Northwest Quarter of Sec. 11, Township 9, South Range 14 E. B. M; and Lot 4 in Sec. 10, Township 9 South of Range 14, E. B. M.
>
> And that he knows of his own personal knowledge that Otis E. Syster, who is now advertizing to prove up on 2.68 Second-feet of water for said lands, has not applied to beneficial use any water whatever on said lands except upon about two acres of land situated within the Southeast Quarter of the northwest Quarter of Sec. 11, Township 9, South of Range 14, E. B. M/ and that the said Otis E. Syster has no interest whatsoever in Lot 3 in Sec. 11, and Lot 4 in Sec. 10 in Township 9, Range 14, South, E. B. M. and that the last described lands have been filed on by one Samuel D. Briggs, one of your affiants, and one George McGinnis, and that there is now a controversy between the two last named parties as to the right to said lands, but that the said Otis E. Syster has no interest whatsoever in said last described lands, and that the said Samuel D. Briggs has been the only person who has ever applied any water whatever to beneficial use on said last described premises.

On May 20, 1932, an examination was made by the Field Engineer of this Department who found that water had been applied to beneficial use upon the lands described in the Permit, as follows:

Lot 4,	Section 10,	T. 9 S., R. 14 E.B.M.,	5 acres
Lot 3,	Section 11,	T. 9 S., R. 14 E.B.M.,	12 acres
Lot 4,	Section 11,	T. 9 S., R. 14 E.B.M.,	3 acres
SE¼NW¼,	Section 11,	T. 9 S., R. 14 E.B.M.,	9 acres
Total,	29 acres		

From the foregoing it would appear that protestants' assertion and contention that water had not been applied to beneficial use upon the lands mentioned and described in the application and permit, and particularly with reference to Lot 3 in Section 11

16399

and Lot 4 in Section 10, Township 9 South, Range 14 East, Boise Meridian, is not sustained.

The question as to the legal title to the land is not one for this Department to determine, nor is it material here for the reason that one may acquire a water right to land which he does not own, under a recent decision of the Supreme Court of this state in the case of First Security Bank v. State, 49 Idaho 740, wherein it said "Water may be appropriated for beneficial use on land not owned by the appropriator, and such water rights become appropriator's property."

For the reasons above stated, the protest herein must be dismissed. License will issue to the permit holder for 0.58 cubic feet of water per second for the irrigation of the land above mentioned and described in the report of the Field Engineer, for irrigation and domestic purposes.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of this Department, at Boise, Idaho, this 24th day of January, 1933.

Commissioner of Reclamation

16399

January 24, 1933

RE: PERMIT NO. 16399
Protest of Samuel D. Briggs,
O. L. Smalley, Lee Towner

MR. HAROLD L. YEAMANS
Attorney at Law
Buhl, Idaho

Dear Sir:

We are enclosing herewith an order which has been prepared and signed by the Commissioner of Reclamation, which is self explanatory.

If an appeal is taken in this action, such appeal must be filed within sixty days from the date of the issuance of license.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engineer

PLH:MC
Encl.

16399

January 24, 1933

RE: PERMIT NO. 16399

MR. OTIS E. SYSTER
Buhl, Idaho

Dear Sir:

This is to inform you that the Engineer's Report made in connection with his examination for Beneficial Use proof under the above mentioned permit has been filed in this Department.

After a thorough examination of the Engineer's Report, depositions submitted by yourself and witnesses, and the protest filed by Mr. L. A. Yeamans, an order has been prepared dismissing the protest.

Therefore, your license will be issued immediately upon receipt of a fee in the sum of $8.00. This fee is statutory, and is calculated at the rate of $2.00 for each 40 acre legal subdivision or fraction thereof that is being irrigated, as shown by the Field Engineer's Report.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By_____
Chief Clerk & Office Engineer

PLH:MC

16399

Form 23

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 16399

This proof is for BENEFICIAL USE In Water District No.

1. Name of applicant Otis E. Syster

2. Source of water supply: Mud Creek

3. Location of point of diversion: Is in the NW¼SW¼ of Section 14

T. 9 S. R. 14 E. B. M. County of Twin Falls

4. Describe works as they exist, giving dimensions and capacities of same: Diversion dam of rock and concrete 30 ft long and 4 ft. high Headgate 3 ft long, 4 ft wide and 3 ft high. Ditch 3 ft wide x 1.5 ft. dep Capacity 3. Sec. Ft.

5. Water is used for: Irrigation and Domestic

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

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): Lots 3 and 4 and SE¼NW¼, Sec. 11, and Lot 4 Sec. 10, all in Tp. 9 S., Range 14 E. B. M.

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

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

Remarks: Capacity of Main Canal = 20 Sec. Ft.
" " " Farm Lateral ditch = 3. " "

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

(Signed) Fred H. Dolman
Examiner.

16399

OTIS E. SYSTER 22
Buhl, Idaho

Permit No. 16399

Examination for BENEFICIAL USE

County Twin Falls

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.

May
26th
1932

Re: PERMIT No. 16399

MR. OTIS E. SYSTER
Buhl, Idaho

Dear Sir:

This is to inform you that the Deposition of the holder and Depositions of two witnesses in the matter of BENEFICIAL USE proof under the above numbered permit have been received; also the affidavit of publication. These papers were delivered in this office by Mr. S. T. Hamilton, Attorney of Twin Falls. They will be held until the field engineer's report is filed. At such time the Commissioner will rule on the protest.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By_____
Chief Clerk

PH/LP

16399

Form 16.

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Permit No. 16399

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Otis E. Syster, Clear Lake, Gooding County, Farmer, P.O. Buhl, Idaho.

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

Ans. Acting for myself

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

Ans. No. 16399 - Date of permit , Priority Nov. 27, 1925.

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

Ans. Mud Creek. Diversion is in N.W¼ of NW¼ Section 14 Township 9 South, Range 14 E.B.M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. Rock Dam; 1¼ miles of ditch, 1500 feet of 12 inch pipe line. Capable of carrying more than 2.68 second feet, probably 500 cubic inches. Also there are 2 flumes about 80 feet each in length these are included in length of ditch.

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. On Lots 3 and 4 and SE¼ of NW¼ of Sec. 11, and Lot 4 of Section Ten (10), all in Township 9 South of Range 14 E.B.M. Irrigated in Lot 3 abt 15 acres, in Lot 4 about 3 acres, in SE¼ of NW¼ about 9 acres, all in Sec. 11, in NE¼ Section 10 about 6 acres.

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

Ans. For Irrigation.

16399

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

Ans. 2.68 second feet

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

Ans. Permit was originally issued to me.

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

Ans. Used from 1926 to date, in amount not less than 2.68 sec. feet. Full amount used on the land described

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. No water used except through the works described. The soil is very sandy and there being abundant water in the creek more than the appropriation has been applied upon the land.

(Sign) Otis E Sylvester

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 Twin Falls, County of Twin Falls, State of Idaho, on this 2nd day of December A. D. 1931.

Notary Public residing at Twin Falls, Idaho.

My commission expires Mch 26, 1932.

RECEIVED
MAY 25 1982
DEPARTMENT OF RECLAMATION

Form 17

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 16399

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. George W. McGinnis - 46 yrs, Buhl, Idaho, P.O. Buhl, Idaho. occupation - disabled veteran World War.

Ques. 2. Are you acquainted with Otis E. Syster, the holder of Permit No. 16399? How long have you known him and where does he reside?

Ans. Yes. Abt 6 yrs. at Clear Lake - Gooding Co, Idaho.

Ques. 3. Have you read or heard read said Permit No. 16399, 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 frrom point of diversion to place of use.

Ans. Mud Creek. Diversion in NW¼ SW¼ Sec. 14 Town. 9 South, Range 14 E B.M. Dam of Rock, abt 40 rods of ditch including 2 flumes, and abt 1200 to 1500 feet of 12 inch pipe.

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. 2.68 sec. feet but capacity is 450 to 500 cu-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. Irrigation. On Lot 3 abt 15 acres in Lot 4 abt 3 acres, in SE¼ NW¼ abt 9 or 10 acres, in Sec. 11. In Lot 4 of Sec. 10 abt 6 or 7 acres. This acreage is estimated but I think it is not over estimated. Cultivated land and very sandy, and requires a large amount of water.

16399

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

Ans. For Irrigation

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. Arid land requiring use of water to raise crops. A large amount of water as well is almost entirely used.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. Not as against this holder of permit. A subsequent or new Govt survey has brought some of the acreage into controversy in which I am interested. I have no interest in the wells or works.

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. Since 1929 through the works described for irrigation, amount 300 inches over. The land is sand and requires a large amount of water.

(Signed) George W. McGinnis

I hereby certify that the foregoing testimony was read to the above subbscriber 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 Twin Falls, County of Twin Falls, State of Idaho, on this 2nd day of December, A. D. 1931.

Notary Public.
Notary Public residing at Twin Falls, Idaho.

My commission expires Mch 26" 1932.

RECEIVED
MAY 25 1932
DEPARTMENT OF RECLAMATION

Form 17

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 16399

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. John Madalena, Residence Gooding County, Idaho, Post office address Buhl, Idaho, occupation farmer. Age 74 yrs.

Ques. 2. Are you acquainted with Otis E. Syater, the holder of Permit No. 16399? How long have you known him and where does he reside?

Ans. Yes. Have always lived on farm adjoining his land have known him long as I can remember. He resides at Clear Lakes, Gooding Co, Idaho.

Ques. 3. Have you read or heard read said Permit No. 16399, 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 frrom point of diversion to place of use.

Ans. Mud Creek. Diversion in NW¼ of SW¼ Sec. 14 in in Township 9 South, of Range 14 E, B M. Dam and ditch about 1¼ miles, also 2 flumes in ditch and about ¼ mile of 12 inch pipe in addition to length 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. 2.68 Sec. feet, and will carry more than this amount. I estimate that works will carry 300 or 400 cubic 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. Irrigation. On Lot 3 about 15 acres, in Lot 4 about 3 or 4 acres, in SE¼ of NW¼ abt 8 or 9 acres, all in Sec. 11, In Lot 4 of Sec. 10 abt 6 acres. I did not measure the land but think this a close estimate. Cultivated land reclaimed from sage brush and very sandy requiring a lot of water.

16399

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

Ans. For Irrigation.

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. Arid land requiring irrigation to produce crops. A large amount of is necessary because the soil is very leachy.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have seen the land each year and a large head of water being used. I estimate the quantity to have been in excess of the permit.

(Signed) John Madalena

I hereby certify that the foregoing testimony was read to the above subbscriber 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 Twin Falls, County of Twin Falls, State of Idaho, on this 2nd day of December, A. D. 1931.

Notary Public.
Notary Public residing at Twin Falls, Idaho.

My commission expires Mch 26, 1934.

RECEIVED
MAY 25 1932
DEPARTMENT OF RECLAMATION

May
19th
1932

RE: PERMIT NO. 16399

MR. OTIS E. SYSTER
Buhl, Idaho

Dear Sir:

Under date of October 9, 1931 notice for publication of proof of the application to BENEFICIAL USE of 2.68 cubic feet per second of the waters of MUD CREEK, was received. A copy of the notice was mailed to the Buhl Herald for publication, and on November 13th, a copy of the first issue as published was received in this Department. Proof was supposed to be made at 10 A. M. on the second day of December at Twin Falls before S. T. Hamilton, N. P.; the necessary depositions were mailed to Mr. Hamilton in ample time. However, as yet, the depositions have not been filed in this office.

Under date of April 6th, 1932, Mr. S. T. Hamilton was notified by this Department that a protest had been filed on the above matter, by Samuel D. Briggs, O. L. Smalley and Lee Towner. The field engineer from this Department will be in Buhl on May 20th and he expects to make an examination of your permit at that time, although an examination is usually not made until the depositions have been received in completed form. If you are interested in carrying the permit through to license, it is suggested that you submit your depositions and an affidavit of proof of publication from the newspaper at once.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By_____
Chief Clerk

EH/LP

16399

April 6, 1932

Re: PERMIT No. 16399

Mr. S. T. HAMILTON,
Attorney at Law,
Twin Falls, Idaho

Dear Sir:

Under date of November 16, 1931, we mailed you depositions of the holder and of two witnesses, in connection with the proof of application of water to beneficial use under the above mentioned permit. The proof was to have been made on December 2, 1931, before S. T. Hamilton, Notary Public, Twin Falls, Idaho. To date the depositions have not been filed in this Department. We would appreciate an early reply from you with reference to what Mr. Syster proposes to do in the matter of this proof.

We received a protest from Mr. Harold L. Yeamans in November of last year. Mr. Yeamans filed a protest on behalf of Samuel D. Briggs, O. L. Smalley and Lee Towner, all of Buhl, Idaho.

The protestants are very anxious to have this matter settled before the irrigation season starts, and a field examination will not be made until the depositions for beneficial use proof have been filed.

Very truly yours,

R. W. FARIS,
Commissioner of Reclamation

By _____
Chief Clerk

PH/mt

16399

December 2nd
1 9 3 1

Re: Permit No. 16399

Mr. Herald Yeamans
Attorney at Law
Buhl, Idaho

Dear Sir:

Your affidavit protesting the proof of application of water to beneficial use on permit No. 16399 has been received, and it will be placed on file until such time when a field examination can be made by a representative of this Department.

For your convenience, I quote the following from section 5585, Idaho Compiled statutes:

> "In issuing a license confirming any right to use water for beneficial purposes, the Department of Reclamation shall be governed in its actions by the records relating to works from which such water is taken, which may be on file in the office of the Department, and by the reports of the examination of such works, the place where such water is used and the extent of such use. Such license may confirm such claim in whole or in part, or such license may be refused such determination depending upon the extent to which such claim is supported by such records and such examination of the conditions relating to such use made on the ground under the authority of the Department."

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By_____

PH/LP

16399

AFFIDAVIT

STATE OF IDAHO)
) ss
COUNTY OF TWIN FALLS)

Samuel D. Briggs and O. L. Smalley and Lee Towner, all of Buhl, Idaho, being first duly sworn according to law, each for himself, deposes and says:

That he is familiar with the following described lands, situated in Twin Falls County, State of Idaho:

Lots 3 and 4 and the Southeast Quarter of the Northwest Quarter of Sec. 11, Township 9, South Range 14 E. B. M; and Lot 4 in Sec. 10, Township 9 South of Range 14, E. B. M.

And that he knows of his own personal knowledge that Otis E. Syster, who is now advertizing to prove up on 2.68 Second-feet of water for said lands, has not applied to beneficial use any water whatever on said lands except upon about two acres of land situated within the Southeast Quarter of the northwest Quarter of Sec. 11, Township 9, South of Range 14, E. B. M; and that the said Otis E. Syster has no interest whatsoever in Lot 3 in Sec. 11, and Lot 4 in Sec. 10 in Township 9, Range 14, South, E. B. M. and that the last described lands have been filed on by one Samuel D. Briggs, one of your affiants, and one George McGinnis, and that there is now a controversy between the two last named parties as to the right to said lands, but that the said Otis E. Syster has no interest whatsoever in said last described lands, and that the said Samuel D. Briggs has been the only person who has ever applied any water whatever to beneficial use on said last described premises.

Samuel D Briggs

O L Smalley

Lee Towner

SUBSCRIBED AND SWORN TO before me this 20 day of November, 1931.

Ruth Yeamans
Notary Public
Buhl, Idaho

16399

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO,

November 16, 1931

Mr. S. T. Hamilton
Twin Falls, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 16399

DEPOSITION OF PERMIT HOLDER,
DEPOSITIONS OF TWO WITNESSES.

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

1. On December 2, 1931, the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at Twin Falls, Idaho before S. T. Hamilton, 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.

16399

A. W. McCALLUM

THE BUHL HERALD
BUHL, IDAHO

October 10, 1931

R. W. Faris,
Commissioner of Reclamation
Boise

Dear Sir:

We acknowledge receipt of notice Otis E. Pyster for final proof of filing of Mud Creek power site. It will be published first October 15, 1931.

Very truly yours,

Buhl Herald

RECEIVED
OCT 14 1931
DEPARTMENT OF RECLAMATION

16399

Form No. 11-A

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Date October 9, 1931

Buhl Herald
Buhl, Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to December 2, 1931, the date set for proof, the expense of the publication to be paid by the applicant, Otis E. Syster

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

16399

October 9, 1931

Mr. S. T. Hamilton
Twin Falls, Idaho

Dear Mr. Hamilton:

Your notice for publication Re: Permit No. 16399, Otis E. Syster, Buhl, Idaho, has been forwarded to the Buhl Herald for publication. The necessary deposition blanks for making proof of beneficial use will be mailed to you about November 15th, so that you will have ample time to fill them in and return them to this department prior to December 2nd, which is the day set for final proof.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By_____

PH/LP

16399

LAW OFFICES OF
S. T. HAMILTON
TWIN FALLS, IDAHO

October 7, 1931.

Hon. Robert W. Faris,
Commissioner of Reclamation,
Boise, Idaho.

Dear Mr. Faris:

Herewith please find Notice of Proof of Application to Beneficial Use. The date and hour will be filled in by you. There is no name for this ditch; consequently that is left blank. It will probably be a little late for proof on December 2nd and it will have to go ahead whatever is necessary.

I do not have the permit in possession and am making this the best I can without it.

Very truly yours,

S. T. HAMILTON.

sth/lm
enc. 3.

16399

September 30
1 9 3 1

Re: Application for Extension of
Time for Beneficial Use Proof

Mr. S. T. Hamilton
Twin Falls, Idaho

Dear Mr. Hamilton:

Mr. Otis E. Oyster, holder of permit number 16399, may get an extension of time without loss of priority, providing he shows sufficient reason why he should have such extension.

Fill out the enclosed blank and forward it to us at once.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By_____

PH/LP

16399

Form No. 9

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

September 21, 1931

Otis E. Syster
Buhl, Idaho
RFD # 4
Dear Sir:—

I enclose herewith blank notice of proof of application of water to beneficial use under your permit No. 16399, which should be filled out and returned to this office at least 60 days before the date upon which you wish to make proof. The date for proof, as set out in your permit, is Dec. 2, 1931, and, if proof is submitted subsequent to said date, your priority will be brought down a length of time equal to the time elapsing between the date proof should have been made and the date proof is actually made.

Yours truly,

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

16399

Form No. 11

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) .....

(P. O.) .....

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

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

Attorney for Otis E. Syster.

(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.

16399

Form 10

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at ..... a. m. on the 2nd day of December, 19 31, at Twin Falls, County of Twin Falls, State of Idaho, before S. T. Hamilton, a Notary Public, proof will be submitted of the application to beneficial use of 2.68 cubic feet per second of the waters of Mud Creek in accordance with the terms and conditions of Permit No. 16399 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 Otis E. Syster, Buhl, Idaho.

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

The amount applied to beneficial use is 2.68 second feet.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) Lots 3 and 4 and $SE\frac{1}{4}NW\frac{1}{4}$, Sec. 11, and Lot 4, Sec. 10, Twp. 9 S., R. 14 E., B. M.

(20.85 40.7 40 33.05)

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

The right to take water from such works is based upon Permit No. 16399.

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

The date of the priority which said user is prepared to establish is November 27, 1925.

R. W. Faris

Commissioner of Reclamation.

16399

December 3, 1928.

Re: Permit No. 16399- Otis F. Syster.

Mr. S. T. HAMILTON
Attorney at law
Twin Falls, Idaho

Dear Sir:-

Referring to your letter of the 26th ult. would say proof of completion of works under the above permit was made September 15th and the certificate issued. We are, therefore, enclosing notices for proof of beneficial use of water only. We are sending the blanks to you in order that the date set for making the proof may be convenient to the holder and his witnesses.

Very truly yours,
GEO. N. CARTER,
Commissioner of Reclamation.

By_____
Chief Clerk.

2710-11

16399

LAW OFFICES OF

S. T. HAMILTON

TWIN FALLS, IDAHO

November 28,1928.

Hon. George N. Carter,
Comm'r of Reclamation,
Boise, Idaho.

Dear Mr. Carter:-

Mr. Otis E. Syster wishes to make proof of completion of works and proof of beneficial use of water under permit #16399,the permit being from Mud Creek. Both proofs will be made at my office at the same date. Advertisement to be made in Buhl Herald.

Please send necessary papers for this proof and I will send order for publication; or you may fix date and paper in which publication will be made and charge the publication to me. Mr. Syster will take care of the bill on presentation.

Vrey truly yours,

S. T. Hamilton

16399

September 18, 1928

Re: Permit 16399

Mr. Otis E. Syster
Buhl, Idaho

Dear Sir:

We are mailing you herewith certificate of completion of works issued under the above numbered permit, together with receipt for fee paid.

Very truly yours,

GEO. N. CARTER
Commissioner of Reclamation

By

Chief Clerk

CB/co
Encl.

16399

Form 6

Permit No. 16399

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO,
County of Twin Falls } ss

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

First: That he is the holder and owner of Permit to Appropriate the Public Waters of the state of Idaho, No. 16399, and that his postoffice address is Buhl State of Idaho

Second: That the name of the stream from which said water is to be diverted is Mud Creek which is a tributary of Snake River

Third: That the point of diversion of said water is 18.50 ft. distant from the South west corner of Sec. 14 T. 9 S. R 14 E. B. M. and in the northwest quarter of the southwest quarter of Sec 14 T. 9 S R 14 E B M County Twin Falls

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Dec 2, 1928.

Fifth: That the use for which said water is intended is Irrigation & domestic use

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

I. Kind of works: is completed
(Reservoir, dam, ditch, flume, pipe or otherwise.)
Dam flume, Ditch & pipe

II. Dimensions of work:

(a) Height of dam 4 feet, length of dam at top 32 feet, length of dam at bottom 5 feet. Material used in construction Earth & rocks
(State whether wood, earth, stone or concrete.)

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

(c) Size of headgate: Width 2 feet, height 2 feet.

(d) Conduit Ditch 3 width at bottom 3 feet, width at water line 4 1/2
(State whether ditch, flume or pipe.)
feet, depth of water 1 feet; diameter of pipe 12 inches, average grade per mile is 30 feet. Length of conduit is 1 1/2 miles.

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

Eighth: That water appropriated under said permit is available for 2.08 acres of land described as follows: T 9 S R 14 E B M Sec 11. NE 1/4 of SW 1/4 Lot 4 Sec 40.7
T 9 S 14 E B M. Sec 10 Lot 4 33.04 acres
NW 1/4 NW 1/4 Lot 3. 30.85. NW 1/4 SE 1/4 40 ac

Ninth: Remarks: That .....

Otis E Snyder
(Sign here)

Subscribed and sworn to before me this 16 day of Sept., 1928

My commission expires 3/12-1931

Notary Public.

16399

Form No. 5

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

September 6, 1928

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Otis E. Syster
R.F.D. #4
Buhl, Idaho

Boise, Idaho,

Dear Sir:—

Under the terms of your permit No. 16399 you are required to complete your diversion works on or before Dec. 2, 1928 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,

GEO. E. CARTER

Commissioner of Reclamation.

16 399

Form No. 18

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

Permit No. 16399

Mr. Otis E. Syster,
Buhl, Idaho

December 3, 1925
Boise, Idaho,

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.

W. G. SWENDSEN
Commissioner of Reclamation.

16 399

December 2, 1925

In Re: Permit No. 16399

Mr. Arthur W. Ostrom,
Attorney at Law,
Buhl, Idaho

Dear Sir:

Please find enclosed herewith, certified copy of Permit No. 16399, the same being issued as the result of application being filed by Otis E. Syster, to appropriate water from Mud Creek.

The charge for this service will be $1.00. Kindly remit at your convenience.

Very truly yours,

M. C. SWENDSEN
Commissioner of Reclamation

By _____
Assistant

GNC-H

16399

ARTHUR W. OSTROM
ATTORNEY-AT-LAW
BUHL, IDAHO

November 25, 1925.

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

Dear Sir:

I hand you herewith, application for permit of Otis E. Syster, for 2.68 cubic feet per second flow, for water out of Mud Creek.

My check in sum of $1.20 enclosed herewith.

In case it is necessary to make any changes or corrections in this application, kindly return to me with your suggestions.

Very truly yours,

16399

AWO:KAB