

STATE OF WYOMING)
County of Big Horn) ss.

01220

I, William F. Cody, of the County of Big Horn and State of Wyoming, being duly sworn on oath, depose and declare: That I am the identical William F. Cody, who on Tuesday, the 9th day of February, 1905, made final proof in support of Desert Land Entry No. 480, said proof having been made before J.K. Galkins, U.S. Commissioner, at his office, Cody, Wyoming: and that said proof was made for the SW 1/4 NE 1/4, NE 1/4 SE 1/4, W 1/2 SE 1/4, E 1/2 SW 1/4, Sec. 21, and the NW 1/4 NE 1/4, NE 1/4 NW 1/4 Sec. 28, T. 50 N., R. 105 W.: That said described land was supposed to cover the original tract of land applied for by Captain Belknap when on unsurveyed land, and which was then known as the BN Ranch: That since the government survey of this land in 1904, and on the 8th, 9th and 10th days of January, 1907, a topographical survey was made by Russell Kimball, a civil engineer and U.S. Dep. Min. Sur., retracing the lines of the government survey, and locating the improvements and area of cultivation on the land supposed to be included in the aforesaid desert land entry No. 480: That the aforesaid survey has developed the fact that the aforesaid descriptions as set forth in the original desert land entry No. 480, and the final proof for the same, are very different from the subdivisions actually cultivated and occupied: That the selection and description of the said entry was made upon the outcome of a survey, which proves to have been made incorrectly, about 1899, in which the lines were carried for a distance over six miles from the nearest Government Corner, and which lines are at great variance with those established by William M. Gilcrest, U.S. Dep. Sur., in his survey made under government contract in 1904: That it was assumed that the results from the early survey, which proves to have been unskillfully executed, were correct, and on this basis the entry was made erroneously unbeknown to me, and without want

01334

of due diligence in determining the description of the land entered: That no part of the land involved in the erroneous filings of desert land entry No. 480 has been sold, assigned, transferred or relinquished, nor has any agreement to do so been entered into:

That first examination of the land was made by me in person prior to the date of entry of the same, which was on February 27, 1901, and that I commenced settlement and improvement thereon ~~about~~ *March* 1899, and that such improvements consist of buildings, fencing, and cultivation of the tracts for which I now apply for under the amendment prayed for, and that such improvements are valued at

Ten thousand (\$10,000.00) Dollars:

That knowledge of the error has come through the aforesaid survey made by said Russell Kimball, on said 8th, 9th and 10th days of January, 1907: That it was found by actual survey that the SW 1/4 NE 1/4, E 1/2 SW 1/4 of Sec. 21 and the NE 1/4 NW 1/4 of Sec. 28. lie on the steep hillside slope of a high mountain foothill and are utterly useless for cultivation, and even grazing purposes: That I make application and petition that the aforesaid lands described in said desert land entry No. 480 and that said entry No. 480 be amended to include the SE 1/4 NE 1/4, Sec. 21 (40 acres) SE 1/4 Sec. 21 (160 acres), N 1/2 NE 1/4 Sec. 28 (80 acres) Lot 2 Sec. 27 (49.82 acres) in T. 50 North, Range 200 West, ~~comprising 320.00 acres~~ said subdivisions being those which in reality cover the areas cultivated and occupied; and which land furnished the authority for the affidavits made by the entryman and witnesses, when making the aforesaid desert land final proof: That attached hereto is the map of the aforesaid survey made for me by said Russell Kimball: That I accompany this affidavit and petition with the sum of Twelve and 25/100 Dollars (\$12.25), in full payment for the excess of acreage, at the rate of \$1.25 per acre, for 9.82 acres, which is the excess of acreage of this application for amended entry

over and above the allowable 320 acres, which excess is caused by the inclusion of Lot 2 Sec. 27, T. 50 N., R. 105 W. in this application for amended entry.

William F. Condy

Subscribed and sworn to before me this 31st day of January
1907 at my office in Cody, Big Horn County, Wyoming.

J. H. Coakley

U. S. Commissioner.

no coupled -
Apr 9/12
June 28/12

lot 2 = 49.82
Dy.

GENERAL LAND OFFICE.

Plot in local 1006
May 26/06

Serial No. 013334
013334

Secs 21 + 28 volume
Mar 2/07

Send Patent to

Appearance by

Approved for Patenting

June 28, 1912 G.M.D. "G"
(Initials.)

List No.

Patent No.

Dated

108 Mar 6
225 May 5

'B' LIST NO. 221

ACTION TAKEN. C

April 23, 1909. R.R. Final pty. ex.
O.K. (Mus.) G.M.D. Divly.
7/24/9 no action reqd to get time GMD
June 6, 1910. No action in G. at this
time. (Mus.) G.M.D. "G"
Jan 23, 1912 Reclamation Serv.
Requesting report.
G.M.D. "G"
Apr. 15, 1912. R.R. Thirty days
for payment. G.M.D. "G"

TO REGISTER & RECEIVER

TRANSMITTED PATENT

JUL 16 1912

JUL 11 1912

PAT N 236610

no in in 0

e/c

108 - 223 - 225 - 1006

DESERT LAND ACT OF MARCH 3, 1877,

AS AMENDED BY ACT OF MARCH 3, 1891.

RECEIPT No. 813112

DEPARTMENT OF THE INTERIOR,

UNITED STATES LAND OFFICE,

In compliance with
"G.M.D. of April
15th 1912.

Lander, Wyoming,

May 3d, 1912

It is HEREBY CERTIFIED, That in pursuance of the act of Congress approved March 3, 1877,
as amended by act of March 3, 1891, entitled "An Act to provide for the sale of Desert Lands
in certain States and Territories," William F. Cody, of

Park

County, State or Territory of Wyoming

has purchased of the Register of this office, and made payment in full for the land described as
follows, to wit: SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 21, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 28, Lot 2, Sec. 27

T. 50 N., R. 105 W., 6th Principal Meridian in Wyoming.

containing ---329.82--- acres, at the rate of one dollar and twenty-five cents per acre,
amounting to 412.27--- dollars.

Now, THEREFORE, BE IT KNOWN, That on presentation of this certificate to the Commissioner of
the General Land Office, the said William F. Cody shall become entitled
to receive a patent for the tract of land above described.

William F. Adams
Register.

NOTE.—See Original Declaration and Receipt, No. 480

6-1830

DESERT LAND ENTRIES (Final)

Posted 108/225

JUN 15 1912

NON COAL - F. S. M.

Patent to contain reservation according
to proviso to the Act of Aug. 30, 1890.
Pat No 283610
JULY 11 1912

DEPARTMENT OF THE INTERIOR,

General Land Office.

 In the matter of the Final Proof of)
 made by W. F. Cody on D.L.E. No. 480,)
 for the SE 1/4 NE 1/4, SE 1/4 Sec. 21,)
 N 1/2 NE 1/4 Sec. 28, and Lot 2, Sec.)
 27, T. 50, N., R. 105 W. made February)
 9, 1905.)

State of Missouri, City of St. Louis; ss.

W. F. Cody, being first duly sworn deposes and says that he is the entry named above; that on February 27, 1901 he made D.L.E. No. 480, which entry embraced lands which were unsurveyed; that prior thereto, to-wit, on the 8th day of May, 1896, this affiant made D.L.E. No. 140, which embraced lands which were unsurveyed, and which lands are the identical lands that are embraced in D.L.E. No. 480, as the same stands corrected of record at this date; that at the time of the making of the last named D.L.E., to-wit, D.L.E. No. 140, this affiant was informed and believed that the lands were properly described as the SE 1/4 SE 1/4 Sec. 4, N 1/2 NE 1/4, NE 1/4 NW 1/4 of Sec. 9, T. 50 N., R. 103 W.; that two years later, to-wit, May 11, 1898 this affiant discovered the error in the descriptions of the lands sought by him, and thereupon relinquished the lands described in the D.L.E. No. 140 for no other consideration and with the view of re-filing upon the same lands, and describing them as he then believed correctly; This affiant has no knowledge or remembrance of having made a homestead filing upon any of the public lands of the United States, and states the fact to be that, if he made homestead entry No. 281, the said entry was intended to embrace the lands described in D.L.E. No. 480, as the same stands corrected of record; that

in relinquishing his homestead entry No. 281, as well as all other entries of whatsoever kind or character made by him within Twp. 50, N., R. 103 W., he did so ~~after~~^{without} receiving any consideration of value from any person or persons whomsoever, and solely for the purpose of enabling him to refile under a more correct description upon the lands which he sought to enter and which are described in his corrected D.L.E. No. 480; that the lands described in corrected D.L.E. 480 are ~~the~~ one and the same lands sought to be entered upon by this affiant as those described in D.L.E. No. 140 and H.E. No. 281; that this affiant did not misrepresent any fact in the procurement of D.L.E. 480, he having previous to making the D.L.E. No. 480 relinquished to the United States D.L.E. No. 140 and H.E. No. 281.

W. F. Cooky

Subscribed in my presence and sworn to before me this 17th day
of June A.D. 1908.

L. H. Anderson.

Notary Public.

Secretary's Office.
My Commission expires Dec. 17th, 1909.

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01224

FINAL PROOF UNDER THE DESERT-LAND ACTS OF MARCH 3, 1877, AND MARCH 3, 1891.

DEPOSITION OF APPLICANT.

QUESTION 1.—State your name, age, residence, occupation, and post-office address.

ANSWER. *William F. Cody; 59 years; Big Horn, Wyoming; ranchman and showman; Cody, Big Horn County, Wyoming.*

QUES. 2.—Are you a native-born citizen of the United States, and if so, in what State or Territory were you born and of what State or Territory are you now a resident citizen?

ANS. *I am. Was born in Iowa.**Now reside in Wyoming.*

QUES. 3.—Give the number and date of the desert-land entry heretofore made by you, and describe the land embraced therein.

ANS. *No. 480; Feb. 27, 1901; SW¹ NE¹; NE¹ SE¹; W² SE¹; E² SW¹ sec. 21, T. 50 N., R. 105 W. (surveyed) and two 40² since relinquished.*

QUES. 4.—State its situation, the character of the soil, its proximity to water, and what natural streams, springs, or bodies of water are upon or pass through, or adjoin it. And, if any, do the streams or springs afford natural irrigation?

ANS. *It is on west side of South Fork Shoshone River; sandy and gravelly; is not naturally irrigated by said river or in any other way.*

QUES. 5.—Do you own and control, or have you a clear right to, the use of water sufficient to irrigate the whole of the land and for keeping the same permanently irrigated?

ANS. *I do, and I leave.*

QUES. 6.—State the source and volume of the water supply, how acquired by you, and how maintained, and at what cost. (Record evidence of the claimant's right to the use of the water, or other satisfactory evidence, in accordance with local laws, must be furnished.)

ANS. *Source Bobcat Creek; acquired by filing Permit No. 9966 with State Engineer, volume 4 cubic feet per second; maintained by myself by digging up the ditches.*

QUES. 7.—State from personal knowledge whether such water has been conducted during any one season upon all the land embraced in your entry, and if the same has been irrigated and reclaimed from its desert condition to such an extent that it will now produce an agricultural crop or a paying crop of hay?

ANS. *It has, for more than three years.*

QUES. 8.—State also the number, dimensions, and carrying capacity of the main ditch or ditches, and also of all the ditches on each legal subdivision of the land which are used in irrigating the same; also the cost of the dams and ditches and the amount expended in the aggregate, in compliance with the legal requirements, whether it equals \$3 per acre of the entire area or not.

ANS. *One main ditch 3 ft. in bottom, one foot water; capacity 4 cubic feet per second, with laterals across each subdivision 30 to 50 feet apart carrying all this water onto all the land. Amount spent \$25000.00 for more than \$3.00 an acre.*

QUES. 9.—State whether you have seen water distributed through and by means of said ditches over all the land in each legal subdivision of your entry with a view to the proper reclamation thereof, and if so, state the dates when each distribution was made, and the quantity of water per acre used, and the time occupied in making the same, in each and every year.

ANS. *I have. For four months each season for the past three years commencing in April each season. Have used 4 cubic feet per second on the 240 acres.*

QUES. 10.—If there are any high points or uneven surfaces which are practically not susceptible of irrigation, state definitely the nature, situation, extent, and area of the same.

ANS. *All the land is irrigated.*

QUES. 11.—Has an agricultural crop of any kind, including a marked increase in the growth of grass, been raised on the land as the result of such irrigation? If so, state the kind of crop and the quantity per acre, and describe the portion of the entry on which the same was raised, showing the aggregate area in actual cultivation, whether it equals one-eighth of the entire area or not.

ANS. *Yes, for three years; 200 acres alfalfa, timothy and grain; 40 acres native hay. Timothy and alfalfa two tons per acre, wheat 30 bu. per acre; oats 40 bu. per acre; It aggregates more than 1/8 the entire area. In fact all the land is irrigated and cropped—200 acres plowed, 40 acres native hay.*

QUES. 12.—If any lands adjacent to or in the vicinity of the land embraced in this entry are settled upon or occupied, and paying crops of any kind are or have been raised thereon without artificial irrigation, describe the same, and state year or years of cultivation, the kind of crop, and quantity raised per acre. If so, state whether the lands producing the same were naturally irrigated.

ANS. *No lands in this vicinity will produce crops without artificial irrigation.*

QUES. 13.—Has any coal or other minerals been discovered on said land, or is any coal or mineral known to be contained therein?

ANS. *No.*

QUES. 14.—Are there any indications of coal, saline, or minerals of any kind on this land? If so, describe what they are.

ANS. *No.*

QUES. 15.—Have you the sole and entire interest in said entry, and in the tract covered thereby, and in the right to the water sufficient to continuously irrigate the same?

ANS. *I have yes.*

QUES. 16.—Has any other person, individual, company, or corporation, any interest whatever in said entry, tract, or water appropriation? If so, give the name, residence, and occupation of each such person, the name, business, and locality of any such corporation or company, and the nature, amount, and extent of such interest.

ANS. *No.*

QUES. 17.—Have you made any other desert-land entry, or have you any interest, direct or indirect, in any other entry under the desert-land act?

ANS. *No.*

QUES. 18.—Describe by legal subdivisions, or by number, kind of entry, and office where made, any other entry or filing (not mineral), made by you since August 30, 1890.

ANS. *I have made no other entry.*

(Sign here with full christian name:)

William F. Corby
LANDER, WYOMING.

LAND OFFICE AT

FEB 9 - 1905

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I hereby certify that the foregoing testimony was read to the claimant before being subscribed; 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 *CODY, WYOMING*, on this *9th* day of *February*, 190*5*.

J. K. Carruth
U. S. COMMISSIONER.

NOTE.—In case the party is of foreign birth a certified transcript from the court records of his declaration of intention to become a citizen, or naturalization, or a copy thereof certified by the officer taking this proof, must be filed with the case.

NOTE.—A correct diagram, showing the location of all ditches and improvements must be furnished by claimant.

NOTE.—The officer before whom the deposition is taken should call the attention of the witness to the following section of the Revised Statutes, and state to him that it is the purpose of the Government, if it be ascertained that he testifies falsely, to prosecute him to the full extent of the law.

TITLE LXX.—CRIMES.—CHAPTER 4.

SEC. 5392.—Every person who, having taken an oath before a competent tribunal, officer, or person, in any case in which a law of the United States authorizes an oath to be administered, that he will testify, declare, depose, or certify truly, or that any written testimony, declaration, deposition, or certificate by him subscribed is true, willfully and contrary to such oath states or subscribes any material matter which he does not believe to be true, is guilty of perjury, and shall be punished by a fine of not more than two thousand dollars, and by imprisonment, at hard labor, not more than five years, and shall, moreover, thereafter be incapable of giving testimony in any court of the United States until such time as the judgment against him is reversed. (See Sec. 1750.)

4-372 a.

FINAL PROOF

UNDER

DESERT-LAND ACTS,

March 3, 1877, and March 3, 1891.

U. S. LAND OFFICE

AT

No.

DEPOSITION OF APPLICANT.

For sale by HENRY N. CORRY, Washington, D. C.

Desert Land, Final Proof.—Notice for
Publication.

United States Land Office
Lander, Wyoming,
December 28, 1904.

Notice is hereby given that William F. Cody, of Cody, Big Horn county, Wyoming, has filed notice of intention to make proof on his desert-land claim No. 480, for the SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 21, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 28, Tp. 50 N., R. 105 W., before J. K. Calkins, U. S. Commissioner, at his office, Cody, Wyoming, on Tuesday, the 9th day of February, 1905.

He names the following witnesses to prove the complete irrigation and reclamation of said land:

Roy Myers, Augustus J. Thompson,
D. Frank Powell, George B. Taylor,
all of Cody, Wyoming.

WILLIAM T. ADAMS,
(Jan. 11, Feb. 8.) Register.

4-227.

01220

ICATE AS TO POSTING OF NOTICE.

Department of the Interior,

UNITED STATES LAND OFFICE,

At Lander Wyoming

February 16, 1905

I, William T. Adams, Register, do hereby

certify that a notice, a printed copy of which is hereto attached, was by me

posted in a conspicuous place in my office for a period of thirty days, I having

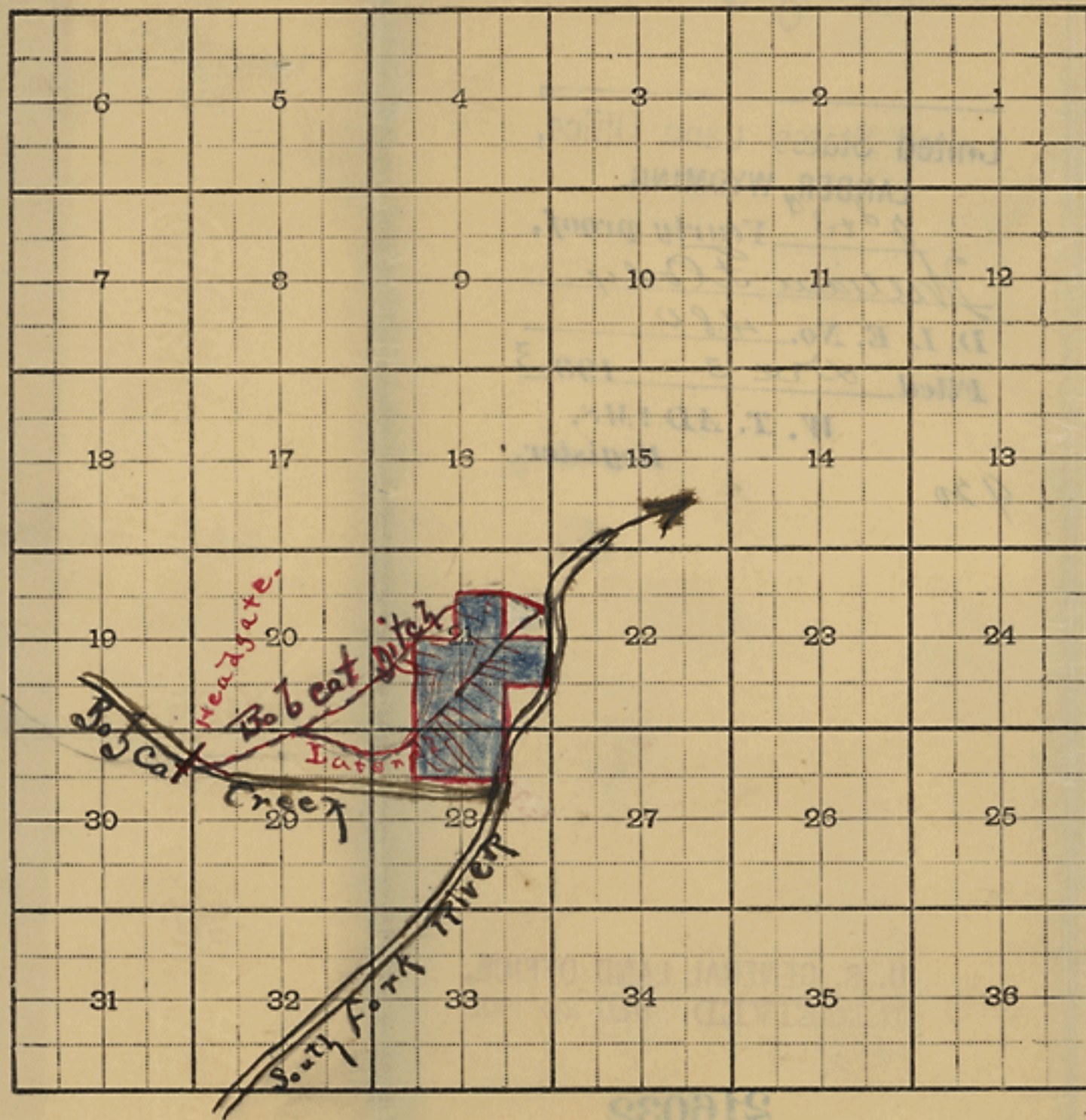
first posted said notice on the 28th day of December, 1904

William T. Adams

Register.

01334

Township 50 North, Range 105 West 6th P. M.



Map of *Main* Ditch and
laterals

of
William F. Cody

for the Irrigation
and Reclamation of h is

L. L. Clark

No. 480 for the $SW^{1/4}NE^{1/4}; NE^{1/4}SE^{1/4}; W^{1/4}SE^{1/4}; E^{1/4}$
 $SW^{1/4}Sec 21; NW^{1/4}NE^{1/4}; NE^{1/4}NW^{1/4}$ of

Sec. 18 T. 50 N. of R. 105 W.

(Unsurveyed)

Surveyed Feb 26 1901

by *L. E. Hayden, C. E.*

of *Cody*, Wyoming.

Now in successful operation.

Printed and for sale by the Stockgrower, Cody, Wyo.

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01220

Location of
E. Ranch

on unsurveyed land
showing land tied to Government Survey
on line of Township 50 north West of Range 104
East of Yellowstone Timber Reserve
Big Horn Co Wyoming
William F Cody
applicant

Yellowstone Park Timber Reserve • Vireo

- Glycerol

- G. v. Corbina

CorCor62m

Gov Corbin

Headgate

154

Scale 200 feet to the inch
of irrigation ditches

Showing probable location of sections and
subdivision lines of Hoare tracts.

Location to be changed to conform to Government
Survey when made

Description of land. Starting from Cor. No. 1. Located 3 miles west
 $\frac{1}{2}$ mile due south of the South west corner of Sec. 18. T. 50 N. R. 104 W
 thence due west $\frac{1}{4}$ mile to Cor. No. 2. thence due North $\frac{1}{4}$ mile to Cor. No. 3
 thence due west $\frac{1}{4}$ mile to Cor. No. 4. thence due South $\frac{1}{4}$ mile to Cor. No. 5
 thence due west $\frac{1}{4}$ mile to Cor. No. 6. thence due South $\frac{3}{4}$ mile to Cor. No. 7
 thence due East $\frac{1}{2}$ mile to Cor. No. 8. thence due North $\frac{1}{2}$ mile to Cor. No. 9
 thence due East $\frac{1}{4}$ mile to Cor. No. 10. thence due North $\frac{1}{4}$ mile to Cor. No. 1.
 The place of beginning one mile one mile one mile

See 7

See 18

T. 50 η Γιοφκ

Sec 19

5230

Line of surveyed & unsurveyed lands

one mile

Zone mile

one mile

one mile