

State of Idaho License and Certificate of Water Right

Water License No. 28358 Amount 0.84 c.f.s.
Water District No. Priority January 11, 1960

THIS IS TO CERTIFY that HELEN B. McGUIRE
of Ellis, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated December 28, 1959; that Permit No. 28358
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
3.2 second feet, was issued thereunder on March 10, 1964, showing that said works
were completed on the 17th day of December, 1963; and that on the 3rd
day of February, 1964,

HELEN B. McGUIRE
of Ellis, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Big Hat and
North Fork of Big Hat Creek
, a tributary of Salmon River, for the purpose of irrigation
, under Use Permit No. 28358 of the Department 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 State Reclamation Engineer of Idaho and entered of record in Volume
13 of Licenses at page 8030, on the 21 day of October, 1964;

The right hereby confirmed dates from January 11, 1960;

The Point of Diversion is located SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 9
in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 10, Tp. 17 N, R. 20 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 .84 cubic feet per second.

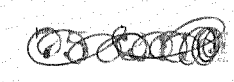
Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
17 N	20 E	10	NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	7
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	10
		15	NW $\frac{1}{4}$ NE $\frac{1}{4}$	40	25
			Total number of acres to be irrigated:		

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 State Reclamation Engineer, affixed at Boise, Idaho, this
21st day of October, 1964.

(SEAL) RALPH W. THOMAS
Deputy State Reclamation Engineer.


75 2137

State of Idaho License and Certificate of Water Right

Water License No. G-27968

Amount 2.0 c.f.s.

Water District No. _____

Priority May 18, 1959

THIS IS TO CERTIFY that HENRY L. WURST
of Gannett, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated May 18, 19 59; that Permit No. G-27968
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2.0 second feet, was issued thereunder on October 21, 19 64, showing that said works
were completed on the 15th day of May, 19 64; and that on the 15th
day of May, 19 64,
HENRY L. WURST

of Gannett, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of 2 wells
NE 1/4 NE 1/4, a tributary of subterranean flow, for the purpose of irrigation
NE 1/4 NE 1/4, under Use Permit No. G-27968 of the Department 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 State Reclamation Engineer of Idaho and entered of record in Volume
13 of Licenses at page 8029, on the 21 day of October, 19 64;

The right hereby confirmed dates from May 18, 19 59;

The Point of Diversion is located NE 1/4 NE 1/4,
in the SW 1/4 SE 1/4, Sec. 13, Tp. 1 S., R. 18 E., B. M. Blaine 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 2.0 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 S.	13 E.	24	NE 1/4 NE 1/4	27	27
			NW 1/4 NE 1/4	40	40
			SW 1/4 NE 1/4	20	20
			SE 1/4 NW 1/4	40	40
			NE 1/4 SW 1/4	23	23
Total number of acres to be irrigated:					150

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 State Reclamation Engineer, affixed at Boise, Idaho, this
21st day of October, 19 64.

/s/ RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

SCANNED
JUN 23 2003

75-2137

Application For Permit To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 36328
PERMIT No. 28358
DISTRICT No.

1. Name of Applicant: **HELEN B. McGUIRE**

Postoffice address: **Box 52, Ellis**

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:

- (a) Cash on hand:
- (b) Treasury stock:

- (c) Bond to be issued:
- (d) Other resources:

2. Quantity of water claimed: **160 miner's inches or 3.2**

cubic feet per second.

3. Source of water supply: **Big Hat Creek & North Fork Big Hat Creek**

which is a tributary of **Salmon River**

4. Location of ^{two} points of diversion:

feet distant from the

corner of Section **10**, T. **17 N.**, R. **20 E.**, B.M., and is in the **SW 1/4 NW 1/4** of section **10**, T. **17 N.**, R. **20 E.**, B. M., County of **Lemhi**

SW 1/4 NW 1/4
NW 1/4 NW 1/4

5. Water is to be used for **Irrigation**

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: \$ **300.00**

8. Kind of works: **Ditch, Headgate & Flume**

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

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

11. Ditch: Width at bottom **2 feet** _____ feet; width at water line **4 feet** _____ feet; depth of water **1 & 1/2** _____ feet; dimensions of flume: **2 feet by 1 & 1/2 feet**

Diameter of pipe **none** _____ inches; length of conduit **1** _____ miles.

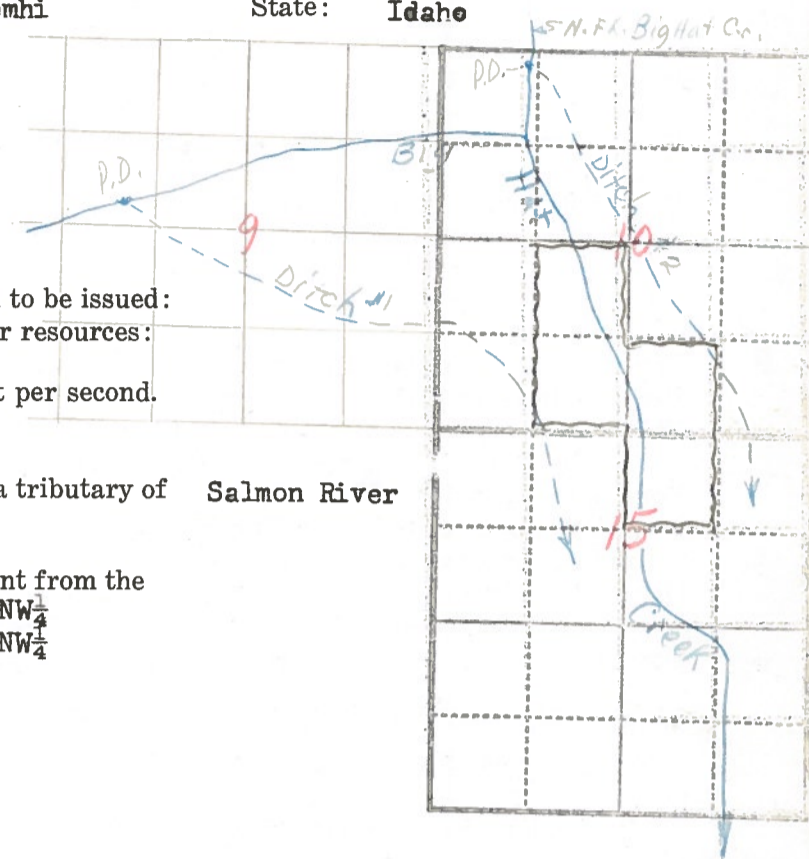
Average grade per mile **2 feet** _____ feet.

12. The time required for the completion of such work is **2** years.

13. The time required for the complete application of the water to the proposed use is **2** additional years.

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

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: **None**



16. (a) Is reservoir to be used? **None** If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

/s/ Helen B. McGuire Applicant.

By Agent.

Date of first receipt at Department of Reclamation: 8:00 A. M. December 28, 1959

Returned to applicant for correction: December 28, 1959

Corrected application received: January 6, 1960

Approval of State Reclamation Engineer

The number of this permit is 28358

Recorded in Book 100 Page 28358 Approved January 20, 1960

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

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

Work to begin on or before **March 20, 1960** 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 **January 20, 1961**

The whole of said work to be completed on or before **January 20, 1962**

Beneficial use of water appropriated in accordance herewith, to be made on or before **January 20, 1964**

WITNESS My hand this **20th** day of **January**, 1960

/s/ Geo. N. Carter State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, **ROBERT E. SMYLIE**, Governor of the State of Idaho,

and **ARNOLD WILLIAMS**, Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this **20th**

day of **January**, 1960.

STATE OF IDAHO

Countersigned:

(SEAL) By /s/ **ARNOLD WILLIAMS** Secretary of State. /s/ By **ROBERT E. SMYLIE** Governor.

REMARKS: 60 in. of water to be taken from Big Hat Creek through Ditch No. 1. The remaining 100 in. to be taken through ditch No. 2 from North Fork of Big Hat Creek.

14.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
17 N	20 E.	10 15	40								40				40				120 40
Total number of acres to be irrigated:																160			
Permit No. 28358 CERTIFICATE OF COMPLETION OF WORKS																			
<i>Certificate Only Cancelled</i>																			
TO ALL WHOM IT MAY CONCERN:																			
This is to certify that HELEN B. MCGUIRE of Ellis, County of Lemhi, and State of Idaho, the holder of Permit No. 28358, issued upon Application No. 36328 bearing date of priority of December 28, 1959, authorizing the diversion of 3.2 second feet of waters of Big Hat Creek & North Fork Big Hat Creek County of Lemhi, State of Idaho, for irrigation 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 3.2 second feet of the waters of North Fork Big Hat Creek, tributary of Salmon River that the point of diversion of said waters is SW ¹ / ₄ NW ¹ / ₄ , Sec. 9, T. 17 N., R. 20 E., B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: NE ¹ / ₄ SW ¹ / ₄ , SE ¹ / ₄ SW ¹ / ₄ , SW ¹ / ₄ SE ¹ / ₄ , Sec. 10; NW ¹ / ₄ NE ¹ / ₄ , Sec. 15, T. 17 N., R. 20 E., B.M. making a total of 160 acres.																			
Witness my hand this 14th day of December, A. D. 1961. /s/ RALPH W. THOMAS Deputy State Reclamation Engineer																			
Proof of Completion of Works Made: December 12, 1961																			
SEE ORDER IN FILE CANCELLING THE ABOVE COMPLETION OF WORKS CERTIFICATE - Dated March 10, 1964																			

SEE ORDER IN FILE CANCELLING CERTIFICATE OF COMPLETION OF WORKS DATED, December 14, 1961

Permit No. 28358
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that HELEN B. McGUIRE of Ellis, County of Lemhi, State of Idaho, the holder of Permit No. 28358 issued upon Application No. 36328, bearing date of priority of December 28, 1959, authorizing the diversion of 3.2 second feet of waters of Big Hat Creek and North Fork Big Hat Creek, County of Lemhi, State of Idaho, for irrigation 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 3.2 second feet of the waters of Big Hat Creek and North Fork Big Hat Creek; that the point of diversion of said waters SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 9; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 10, T. 17 N., Rge. 20 E.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:

160 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 10; NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 15, T. 17 N., R. 20 E., B. M.

Witness my hand this 10th day of March, A. D. 1964.

s/ RALPH W. THOMAS
Deputy State Reclamation Engineer

Proof of Completion of Works Made: December 17, 1963.

LICENSE ISSUED FOR 0.84 SEC. FT.
LICENSE PAGE NO. 8030

October 22, 1964

Re: Permits No. 28286; 28358

Helen B. McGuire
P. O. Box 6
Ellis, Idaho

Dear Mrs. McGuire:

We received the \$6.00 fee for License and Certificate of Water Right No. 28358.

The License has been completed showing 42 acres of land irrigated, however, there is no land shown in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 10. The inspector from this office probably explained to your son the requirements to be met before the water can be shown as used beneficially.

Kindly advise if SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 10 has been irrigated beneficially and the number of acres.

There would be an extra fee of \$2.00 if that land is included.

Your Permit No. 28286 shows proofs are due December 4, 1964. Your Desert Land Entry was not allowed until August 7, 1964 and you can request an extension of time to August 7, 1969, to complete the work.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

SCANNED
JUN 23 2003

20258

October 21, 1964

Re: Permit No. 28358

Helen B. McGuire
Box 6
Ellis, Idaho

Dear Mrs. McGuire:

Enclosed is your License and Certificate
of Water Right on the above numbered permit.

Also enclosed is departmental receipt No.
32499, in the amount of \$6.00 covering the fees.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. license
receipt

28358

July 17, 1964

Re: Permit No. 28358

Helen B. McGuire
Box 6
Ellis, Idaho

Dear Mrs. McGuire:

Our field engineer's report on his inspection of the application of water to beneficial use under the terms of Permit No. 28358 shows the dam & ditch are ~~is~~ capable of conveying 42 miner's inches, or 0.84 c.f.s. of water for the irrigation of 52 acres.

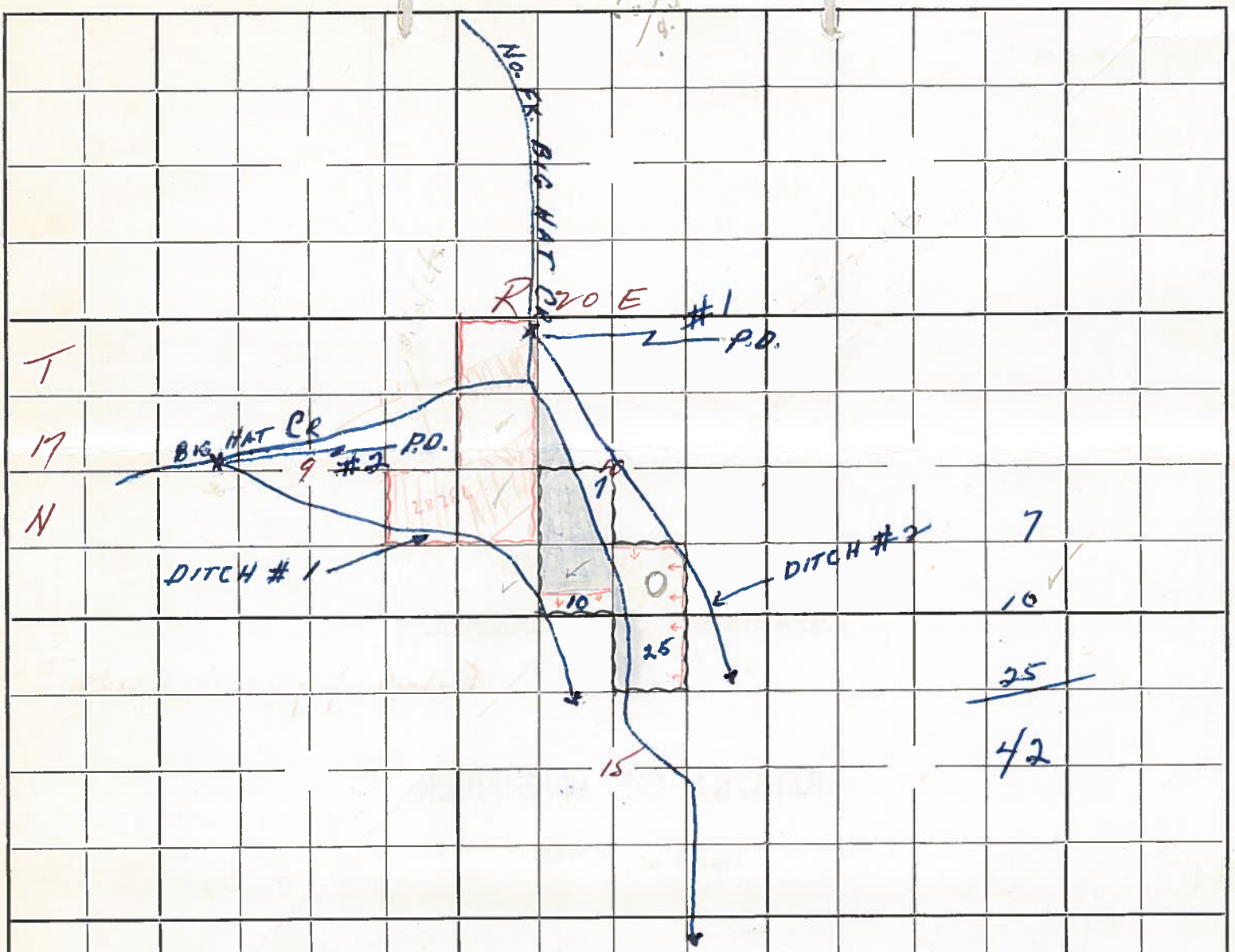
Upon receipt of the statutory fee of \$6.00 -based at the rate of \$2.00 for each 40-acre subdivision - we will issue the License and Certificate of Water Right, confirming the right with priority of January 11, 1960 to the use of 0.84 second feet of surface water with the point of diversion in the SW¹/₄NW¹/₄, Sec. 9 from Big Hat Creek; NW¹/₄NW¹/₄, Sec. 10 from North Fork Big Hat Creek for irrigation of 42 in the NE¹/₄SW¹/₄, SE¹/₄SW¹/₄, Sec. 10; NW¹/₄NE¹/₄, Sec. 15, T. 17 N., R. 20 E., B.M.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr



Subdivisions 3
 Area 42 acres

Allow ϕ .84 C.F.S. or 42 inches

Total measurement
 2.66 C.F.S.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 28358

REPORT ON PROOF OF Beneficial Use

Helen B. McGuire
Box ~~52~~ 6
Ellis, Idaho

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 28358

This proof is for Beneficial Use In Water District No.

1. Name of applicant Helen B. McGuire

2. Source of water supply: Big Hat Creek and North Fork Big Hat Creek

3. Location of point of diversion: Is in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 9; NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10
T. 17 N. R. 20 E. County of Lemhi

4. Describe works as they exist, giving dimensions and capacities of same: P.D.'S is a pile of logs and boards diverting the water from Hat Creek into an irrigation ditch

5. Water is used for: irrigation

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 other than irrigation):

NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 10; NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 15, T. 17 N., R. 20 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?

Remarks: Mr. McGuire (son) participated in the examination

Measurement was made with siphonette weir

#1	.45 over 2' weir	OR 101 inches	Allow	0.64 cfs
#2	.21 over 2' weir	OR 32.2 inches	"	0.20
		133.2 inches		0.84 cfs

HE Idaho # 011110

This examination was made on the 11th day of July, 1964

(Signed) Ron Heberg Examiner.

Helen B. McGuire
Box 52, Ellis, Idaho

Permit No. 28358

1 mile north - 10 ton capacity cable bridge

Examination for Beneficial Use

County Lemhi

Sec. 10 T. 17N R. 20 E

Quantity: 3.2 CFS.

Source: Big Hat Creek & No. Fork Big Hat Creek

P.D.: SWNW, 9-17N-20E
NNW, 10-17N-20E

Use: Irrigation

Filed: 12-28-59

Due: 1-20-64

Extension:

Completion of Works: 12-14-61

Incorrect. New Cert. to be issued.

Other Rights: None

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 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.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED

JUL 16 1964

Department of Reclamation

2-7
12-28
3-17

RECEIVED

MAR 10 1964

Ellis, Idaho

(6/30)

Box 6

Dear Sir

G-28358

In reply to your recent letter requesting return of completion of work's certificate please find some enclosed. also you requested information on how to get to my place. The easiest place to obtain directions is at Ellis store.

The bridge we cross is 1 mile south of Ellis, it is a cable bridge capable of approximately 10 tons capacity. there is only one road from the bridge to our place it is 14 miles from said bridge to the house.

This road is snowed in at the
over

28358

present time. I would not suggest you try it before may as the runoff usually does considerable damage & it takes some time to repair with the rest of the spring work.

Yours Sincerely
Mrs Helen B. McGuire
Box 4
Ellis, Idaho

March 10, 1964

Re: Permit No. 28358

Helen B. McGuire
Ellis, Idaho

Dear Mr. McGuire:

Enclosed is the order of Cancellation
on the Certificate of Completion of Works issued on
December 14, 1961 and also, the Certificate of Completion
of Works issued as of this date.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. order
certificate

28358

S T A T E O F I D A H O

DEPARTMENT OF RECLAMATION

IN THE MATTER OF CERTIFICATE OF)
COMPLETION OF WORKS under)
Permit No. 28358, Helen B.)
McGuire, holder)

O R D E R

WHEREAS, Helen B. McGuire, holder of Permit No. 28358, made Proof of Completion of Works on the 12th day of December, 1961, wherein only North Fork of Big Hat Creek was shown as the source of the water; and,

WHEREAS, the Certificate of Completion of Works was issued the 14th day of December, 1961, showing only the North Fork of Big Hat Creek as source of the water; and

WHEREAS, Helen B. McGuire and two witnesses made proof of completion of works that water was actually diverted from Big Hat Creek and the North Fork of Big Hat Creek under Permit No. 28358.

NOW, IT IS HEREBY ORDERED, that the Certificate of Completion of Works issued the 14th day of December, 1961 shall be cancelled and declared null and void; and a new Certificate of Completion of Works shall be issued showing true sources of water supply.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the State Department of Reclamation, at Boise, Idaho, this 10th day of March, 1964.



Deputy State Reclamation Engineer

March 4, 1964

Re: Permit No. 28358

Mrs. Helen B. McGuire
Box 52
Ellis, Idaho

Dear Mrs. McGuire:

It is necessary the above mentioned permit is examined before license can be issued.

In checking over county map I cannot find a crossing of the river, or a road leading to your homestead. Looking on an old Salmon Forest Map it shows a crossing a mile or mile and a quarter northeast of Ellis, where the river crosses the section line between Sections 18 and 19. Is this a car and truck bridge? Is there a road to the property? When would be the best time of the year to make this inspection?

I have to see the land to determine the actual acres irrigated. Also, inspect the points of diversion and measure the water used.

Land under Permit No. 28286 joins the land under Permit 28358 on the north and west. I am wondering if this inspection could be made at the same time. This would save the State time and expense. It will be necessary for you, or someone very familiar with your operation and land, to accompany me on this inspection.

It was requested December 24, 1963, and again February 11, 1964 that you return the Certificate of Completion of Works for Permit No. 28358 for cancellation, as it is incorrect. It is necessary we have the first certificate before a corrected Certificate of Completion of Works can be issued to complete our records to date.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

LOY H. JOHNSON
Field Engineer

LHJ:ew

February 11, 1964

Re: Permit No. ²⁸³⁵⁸~~28356~~

Helen B. McGuire
Box 52
Ellis, Idaho

Dear Mrs. McGuire:

Everything is in order now for inspecting your works on subject permit except you did not return the first Certificate of Completion of Works. Please send the certificate to us for cancellation so we may issue a correct one.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

D. L. RHODES, Assistant
State Water Rights Clerk

DLR:ew

1M April 1962

February 11, 1964

Re: Permit No. 28358

Helen B. McGuire
Box 52
Ellis, Idaho

Dear Mrs. McGuire:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the Recorder Herald Salmon, Idaho, all submitted in proof of completion of works and beneficial use on Permit No. 28358.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours ,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:

RECEIVED
FEB 11 1964
Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 28358

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

DEPOSITION OF HOLDER

Ques. 1. State your name, residence, occupation and postoffice address: Helen B. Mc
GUIRE, Big HAT CREEK, RANCHER, Ellis, Idaho BOX 52

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:

Ques. 3. State number, approval date of permit, and date of priority you propose to establish under the permit; no. 28358 approved Jan 20 - 1960 Priority Date Dec. 28, 1954

Ques. 4. State source of water supply: Big HAT CREEK N. Fork of Big HAT creek. SW 1/4 NW 1/4 sec 9
Give location of point of diversion, showing subdivision, section, township and range:

SW 1/4 NW 1/4 sec 10 all in Township 17N. Range 20 E Boise M.

Ques. 5. Describe your works of diversion: DITCH HEADGATE & FLUME

_____ ; state amount of water they are capable of conveying from point of diversion to place of use to second FT Give name of canal or ditch

or other works by which water is conducted to such place of use: Ditch No 1, Big HAT creek

Ditch No 2 N Fork Big HAT creek if a well, state depth of well _____ ; depth and size of casing:

_____ ; depth to water _____ ; if pump is used,

state discharge of pump: _____ ; tell how it was measured or determined: WEIR

_____ ; if sprinkler irrigation, give number and size of nozzles and

operating pressure: _____

Ques. 6. State for what purpose water is used: IRRIGATION 30 acres in NW 1/4 NE 1/4 of
If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water :

Sec 15, 20 acres in SW 1/4 SE 1/4 of sec 10, 20 acres in SE 1/4 SW 1/4 of

Sec 10, 20 acres in NE 1/4 SW 1/4 of sec 10 all in 17N 20E

State nature of all improvements which have been made as a direct result of said use:

40 acres Hay 25 acres grain 25 acres pasture irrigated

28358

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: _____

Ques. 7. If for other than irrigation purposes, state purpose and how used:

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

90 minutes inches or 1.8 cubic 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:

Ques. 10. State when and in what amount the water diverted under above mentioned permit has been first used: Dec 12 - 1961 Time used since first use:

160 inches continuously each year from 20 of April till 10 of November.

Ques. 11. Describe all other water rights appurtenant to same place of use:

none

(sign) _____

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

Salmon, Idaho., County of Lemhi

State of Idaho, on this 3rd day of February, A.D. 1964.

My Commission expires: Oct. 20, 1964

Depositions signed on the 3rd, the 2nd being Sunday.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
FEB 11 1964
Department of Reclamation

PERMIT NO. 28358

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. MIKE J. MILLER age 29 Big Hat Creek Lemhi co. Ida.
Rancher. Box 35 Ellis, Idaho

Ques. 2. Are you acquainted with Helen B. McGUIRE, the holder of Permit No. 28358? How long have you known him and where does he reside?

Ans. I HAVE KNOWN HER 25 YEARS SHE RESIDES ON
BIG HAT CREEK LEMHI CO. IDAHO

Ques. 3. Have you read or heard read said Permit No. 28358, and are you familiar with its provisions and conditions?

Ans. YES

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Big HAT Creek & N. Fork of Big HAT creek; POINTS OF DIVERSION
are SW 1/4 NW 1/4 of sec 9 & NW 1/4 NW 1/4 of sec 10 T. 17. N R 20. E B.M.
WORKS FOR CONVEYING WATER ARE, DITCHES HEADGATES
& FLUME

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. 6 cu. FT. Each & I HAVE SEEN 1.8 cu. FT. Being used.

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

Ans. IRRIGATION 30 acres in NW 1/4 NE 1/4 of sec 15, 20 acres in
SW 1/4 SE 1/4 of sec 10, 20 acres in S.E. 1/4 SW 1/4 of sec 10, & 20 acres
in NE 1/4 of SW 1/4 of sec 10 all in T. 17. N. R 20. E Boise M.
40 acres HAY 25 acres grain 25 acres PASTURE.
ALL ARE CULTIVATED CROPS. NOT NATURAL MEADOW

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. SANDY LOAM BOTH BENCH LAND & CREEK
BOTTOM. 1.8 CU FT. or 90 in.

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

Ans. none

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. Dec 12 - 1961 160 in or 1.8 CU FT. FOR IRRIGATION
FROM APRIL TILL NOVEMBER EACH YEAR.

(Signed) Mike Miller

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 Salmon, Idaho, County of Lemhi, State of Idaho, on this 3rd day of February, A. D. 1964.

[Signature]
Notary Public.

My commission expires Oct. 20, 1964.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECORDED
FEB 11 1964
Department of Reclamation

PERMIT NO. 28358

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. BILL MC GUIRE age 35 Big Hat Creek Lemhi co. Ida. Logger
& mill hand. Box 6 Ellis, Idaho.

Ques. 2. Are you acquainted with Helen B. Mc GUIRE, the holder of Permit No. 28358? How long have you known him and where does he reside?

Ans. I have known her 35 years she resides on
Big HAT CREEK Lemhi, county Idaho.

Ques. 3. Have you read or heard read said Permit No. 28358, and are you familiar with its provisions and conditions?

Ans. yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Big HAT CREEK & N-FORK Big HAT CREEK POINTS OF DIVERSION
SW 1/4 of NW 1/4 of sec 9. & the NW 1/4 of NW 1/4 of sec 10 all in T. 17 N
R. 20 E. B.M. WORKS FOR CONVEYING WATER ARE
DITCHES HEADGATES & FLUME

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. each Ditch & FLUME 6 cubic FT. I HAVE SEEN 3 cubic FT. each

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

Ans. IRRIGATION 30 acres in NW 1/4 NE 1/4 of sec 15. 20 acres in
SW 1/4 SE 1/4 of sec 10, 20 acres in SE 1/4 of SW 1/4 of sec 10,
& 20 acres in NE 1/4 SW 1/4 of sec 10. all in T. 17 N R. 20 E B.M.
40 acres of Hay 25 acres grain 25 acres pasture all
are cultivated crops & not NATURAL MEADOW.

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. SANDY LOAM, Bench 4 CREEK BOTTOMS
1 in. Per acre. or 90 million in. 1.8 cu. FT.

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

Ans. NONE

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. 160 in water FOR IRRIGATION FROM APRIL Till
NOV. EACH YEAR SINCE Dec 12 - 1961

(Signed) *Bill McQuinn*

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 Salmon, Idaho, County of Lemhi, State of Idaho, on this 2nd day of February, A. D. 1964.

[Signature]
Notary Public.

My commission expires Oct. 20, 1964.

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 11:00 a.m. on the 2nd day of February, 1964, at Salmon, County of Lemhi, State of Idaho, before Florence M. Martin, proof will be submitted of the application to beneficial use of 1.8 cubic feet per second of the waters of Big Hat Creek and No. Fk. Big Hat Cr. in accordance with the terms and

conditions of Permit No. 28358 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and post office address of the person holding said permit Helen B. McGuire, Box 52, Ellis, Idaho.

The use to which said water has been applied is Irrigation.

The amount applied to beneficial use is 1.8 cfs.

The point of diversion of said water is SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 9, and NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 10, Twp. 17 N., Rge. 20 E.B.M.

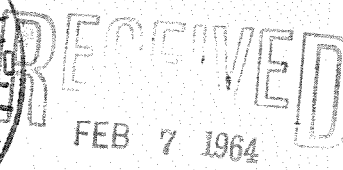
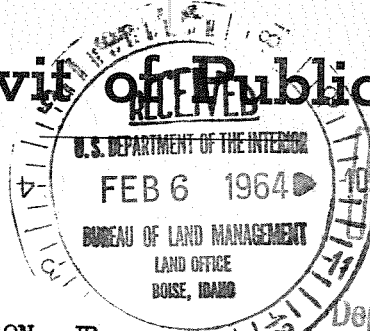
The place where said water is used (LEGAL DESCRIPTION) NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 10; NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 15, Twp. 17 N., Rge. 20 E.B.M.

The date of priority which said user is prepared to establish is Dec. 28, 1959.

CARL T. TAPPEN,
State Reclamation Engineer
1-2-4tc

Affidavit of Publication

STATE OF IDAHO }
County of Lemhi } ss.



Department of Reclamation

ROBERT B. JOHNSON, JR.

Being first duly sworn, deposes and says that he is one of the printers (publisher) of the RECORDER HERALD, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein,

That the NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

_____ 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 1-2, 19 64 and ending with the issue dated 1-23, 19 64.

Robert B. Johnson, Jr.

Subscribed and sworn to before me, this 23rd day of January, 19 64.

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

Publication Fee \$ 18.04

28358

Re: Permit No. 28358
Helen B. McGuire

Date: December 26, 1963

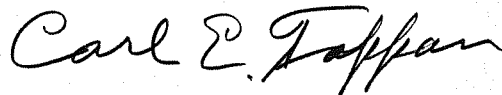
Recorder Herald,
Salmon, Idaho.

Gentlemen:

Enclosed you will find Notice for Publication, once a week for four consecutive weeks prior to February 2, 1964 the date set for proof; the expense of the publication is to be paid by the applicant Helen B. McGuire of Box 52, Ellis, 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 or tear sheet of the first publication.**

Very truly yours,



CARL E. TAPPAN
State Reclamation Engineer

** If the first copy is not received in this office for checking purposes and errors appear in subsequent issues, it is possible that re-publication of corrected copy will be at your own expense.

CET:pmk

December 26, 1963

Re: Permit No. 28358
Helen B. McGuire

Helen B. McGuire,
Box 52,
Ellis, Idaho.

Dear Mrs. McGuire:

This acknowledges the Notice of Proof of ~~Completion of Works and~~ Application of water to Beneficial Use under Permit No. 28358. The proofs are to be made at 11:00 o'clock A.M., on the 2nd day of February, 1964, before Florence M. Martin, Salmon, Idaho, Notary Public.

As of this date, we have mailed the Notice to the Recorder Herald Salmon, Idaho, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof then mail the affidavit of publication and statement of costs to you.

It is important that the enclosed depositions be executed by you and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the place, on the date, and at the time and before the Notary, as advertised. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, the Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the AFFIDAVIT OF PUBLICATION.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk
cc: Notary

28358

December 24, 1963

RE: Permit No. 28358

Helen B. McGuire
Box 52
Ellis, Idaho

Dear Mrs. McGuire:

Thank you for submitting depositions of Proof of Completion of Works for subject permit.

We have set the date for making Proof of Application of Water to Beneficial Use ahead to February 2, 1964. This should allow adequate time for the 4 week's publication and subsequent signing of depositions on the 2nd of February. We hope this will not be inconvenient for you and your 2 witnesses.

Since the first Certificate of Completion of Works issued to you was incorrect, we ask that you please return it to us for cancellation. A new one will be issued to you.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

D. L. RHODES
Assistant State Water Rights Clerk

DLR:mr

ROBERT E. SMYLIE
Governor



CARL E. TAPPAN
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

December 24, 1963

RE: Permit No. 28358

Helen B. McGuire
Box 52
Ellis, Idaho

Dear Mrs. McGuire:

Thank you for submitting depositions of Proof of Completion of Works for subject permit.

We have set the date for making Proof of Application of Water to Beneficial Use ahead to February 2, 1964. This should allow adequate time for the 4 week's publication and subsequent signing of depositions on the 2nd of February. We hope this will not be inconvenient for you and your 2 witnesses.

Since the first Certificate of Completion of Works issued to you was incorrect, we ask that you please return it to us for cancellation. A new one will be issued to you.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

A handwritten signature in cursive script, appearing to read "D. L. Rhodes".

D. L. RHODES
Assistant State Water Rights Clerk

DLR:mr

December 10, 1963

Re: Permit No. 28358

C
O
P
Y

Helen B. McGuire
P. O. Box 52
Ellis, Idaho

Dear Mrs. McGuire:

Thank you for your letter of December 6, 1963, explaining the error pertaining to the above noted permit.

Since these errors have been discovered on your completion of works proof it will be necessary for you to submit new proof of completion of works to include both streams and both points of diversion. Also, since it is late it will be necessary to take depositions from two disinterested witnesses. We are enclosing forms, which we have filled in as much as possible for this purpose. Please take care of this matter in the next ten days and return the forms to us.

When the completion of works proof is properly recorded we will set a new date for making proof of application of water to beneficial use. We will extend the time for making such proof the number of days required so there will be no loss of priority date.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

D. L. RHODES, Assistant
State Water Rights Clerk

DLR:ew

Enc. depositions

December 3, 1963

Re: Permit No. 28358

Helen E. McGuire
Box 52
Ellis, Idaho

Dear Mrs. McGuire:

Your Notice of Proof of Application of Water to Beneficial Use was received yesterday. There are some discrepancies in this notice which will have to be cleared up before we can accept it.

Enclosed you will find a copy of your Proof of Completion of Works which you signed December 12, 1961. We would like to call your attention to some of the items on it:

1. The name of the stream shown is No. Fk of Big Hat Creek only.
2. The point of diversion is shown as SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 9, T. 17 N., R. 20 E. only.

On your original application there is a notation that 60 inches of water would be taken from Big Hat Creek and 100 inches of water would be taken from No. Fk. of Big Hat Creek, or a total of 3.2 cubic feet per second.

On your notice for making proof, January 11, 1964, two points of diversion are shown. They are SW $\frac{1}{4}$ NW $\frac{1}{4}$, of Sec. 9, which corresponds to the one shown on your Completion of Work certificate, and NE $\frac{1}{4}$ NE $\frac{1}{4}$, of Sec. 10, both in T. 17 N., R. 20 E. This last one does not correspond with any of our records. The original point of diversion in Section 10 was shown in NW $\frac{1}{4}$ NW $\frac{1}{4}$.

Would you please inform us if you are actually diverting water from Big Hat Creek in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 10, T. 17 N., R. 20 E., or is this an error?

Page Two, Continued

Helen B. McGuire

Dec. 3, 1963

It seems apparent that this point of diversion should be deleted from your notice since the stream does not run through that location.

Are you using water from the No. Fk. of Big Hat Creek? If so, where is the point of diversion?

We are thoroughly confused in this matter and ask that you reply immediately clarifying these points.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

D. L. RHODES
Assistant Water Rights Clerk

DLR:ew

Enc. photo copy
Proof of Completion of Works

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

RECEIVED
DEC 1 1963

Department of Reclamation

(Date) Nov. 30 - 1963

(P. O.) 52 Ellis Idaho.

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the

RECORDER HEROLD of SALMON, IDAHO published in
County of Lemhi
the county in which the works are situated.

Helen B Mc Guire

(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.

Continuation of Permit



NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 11 A.M. on the ~~14~~^{2nd} day of ~~January~~^{February}, 1964,
at Salmon, County of Lemhi, State of Idaho, before
Florence M. Martin, proof will be submitted of the
application to beneficial use of ~~1.8~~^{1.8} cubic feet per second of the waters of Big
HAT CREEK + N. FR. BIG HAT CR. in accordance with the terms and conditions of
Permit No. 28358 heretofore issued by the Department of Reclamation of the State of
Idaho.

The name and post office address of the person or corporation holding said permit _____
HELEN B. McGUIRE Box 52 Ellis, Idaho

The use to which said water has been applied is IRRIGATION

The amount applied to beneficial use is 90 cubic inches 1.8 cfs

The point of diversion of said water is S W 1/4 of NW 1/4 of SEC 9 of the
NW NE 1/4 of NE 1/4 of Sec 10, Township 17 N. Range 20 E. B.M.

The place where said water is used (LEGAL DESCRIPTION) NE 1/4 of SW 1/4 and the
SE 1/4 of SW 1/4 and the SW 1/4 of SE 1/4 of Sect 10. + the NW 1/4 of the NE 1/4
of Sec 15, Township 17 N. Range 20 E. B.M.

The date of priority which said user is prepared to establish is DEC. 28, 1959

CARL E. TAPPAN
State Reclamation Engineer

DR

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER

TO BENEFICIAL USE

Notice is hereby given that at 11 A.M. on the 14th day of February, 1964,
 at Salmon, County of Lemhi, State of Idaho, before
Flarance M. Martin, proof will be submitted of the
 application to beneficial use of ~~1.4~~ 1.8 cubic feet per second of the waters of Big
FLAT CREEK + No. FK. BIG HAT CR. in accordance with the terms and conditions of
 Permit No. 28358 heretofore issued by the Department of Reclamation of the State of
 Idaho.

The name and post office address of the person or corporation holding said permit _____
HELEN B. Mc GUIRE BOX 57 Ellis, Idaho

The use to which said water has been applied is IRRIGATION

The amount applied to beneficial use is ~~90 cubic inches~~ 1.8 CFS.

The point of diversion of said water is SW 1/4 & NW 1/4 SEC. 9
~~NW 1/4~~ NW 1/4 ~~NE 1/4 of NE 1/4~~ Sec 10, Township 17 N. Range 20 E. B.M.

The place where said water is used (LEGAL DESCRIPTION) NE 1/4 & SW 1/4, & the
SE 1/4 & SW 1/4, and the SW 1/4 & SE 1/4 of Sect. 10, & the NW 1/4 of NE 1/4
of Sec. 15, Township 17 NORTH Range 20 E. B.M.

The date of priority which said user is prepared to establish is Dec. 28, 1959

CARL E. TAPPAN
 State Reclamation Engineer

NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 11:00 A.M. on the 2nd day of February, 1964,
at Salmon, County of Lemhi, State of Idaho, before
Florence M. Martin, proof will be submitted of the
application to beneficial use of 1.8 cubic feet per second of the waters of Big Hat
Creek & No. Fk. Big Hat Cr. in accordance with the terms and conditions of
Permit No. 28358 heretofore issued by the Department of Reclamation of the State of
Idaho.

The name and post office address of the person ~~incorporation~~ holding said permit
Helen B. McGuire, Box 52, Ellis, Idaho

The use to which said water has been applied is Irrigation

The amount applied to beneficial use is 1.8 cfs

The point of diversion of said water is SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 9, & NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 10, Twp. 17 N.,
Rge. 20 E.B.M.

The place where said water is used (LEGAL DESCRIPTION) NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 10; NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 15, Twp. 17 N., Rge. 20 E.B.M.

The date of priority which said user is prepared to establish is Dec. 28, 1959

CARL E. TAPPAN
State Reclamation Engineer

CR

S T A T E O F I D A H O
D E P A R T M E N T O F R E C L A M A T I O N

Re: Permit No. 28358

Date:

Nov. 1, 1963

Helen B. McGuire
Box 52
Ellis, Idaho

Dear Mrs. McGuire:

The date for proof of application of water to beneficial use, as set out under the terms of Permit No. 28358 is due not later than Jan. 20, 1964. If by this date you are not prepared to make this proof, you may make it at a later date, however, your priority will be advanced the same length of time for which the proof is late.

Before this proof can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county.


We enclose Form 10, in duplicate, which is to be filled in and returned to this department at least forty (40) days before the above mentioned date and/or before the time you intend to make proof. This form, in duplicate, is to include the time of day, the date, the name of the town, the address of the Notary Public before whom you will appear to make the depositions of proof (this may be at any place that is convenient for you and your two witnesses), the quantity of water, for what purpose it is used, the point or points of diversion and the location of use or lands which are irrigated - by legal land description. Descriptions should be taken from your Permit, including any amendments thereto, as recorded in this department. If changes have been made and no amendments are on record, we advise that you request a form for this purpose before your notice is published.

Also enclosed is Form 11, which is the authorization for us to have the notice published in the designated county newspaper, at your expense. This is to be returned with Forms 10.

At the time we send the notice to the newspaper we will send to you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set and at the place named, before the Notary Public, as advertised in the publication notice.

The amount of water allowed in a license cannot be more than is actually produced and measured and put to beneficial use, and cannot be more than the statutory amount allowable per acre of land actually found by field inspection to have been irrigated at the time of proof.

Very truly yours,


~~CHIEF ENGINEER~~ CARL E. TAPPAN
State Reclamation Engineer

Enc. Form 10 and 11
Attorney General's ruling

December 14, 1961

RE: Permit No. 28358

Helen B. McGuire
Box 52
Ellis, Idaho

Dear Mrs. McGuire:

Enclosed is Certificate of Completion of Works issued on Permit No. 28358.

Also enclosed is departmental receipt No. 30873 in the amount of \$5.00 covering the fee for the Certificate.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

Enc. certificate
receipt

28358

Permit No. 28358

Cancelled

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that HELEN B. McGUIRE
of Ellis, County of Lemhi, and State of
Idaho, the holder of Permit No. 28358, issued upon
Application No. 36328 bearing date of priority of December 28, 1959, authorizing the
diversion of 3.2 second feet of waters of Big Hat Creek & North Fork Big
Hat Creek

County of Lemhi, State of Idaho, for irrigation
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 3.2
second feet of the waters of North Fork Big Hat Creek, tributary of Salmon River

that the point of diversion of said waters is SW¹/₄NW¹/₄, Sec. 9, T. 17 N., R. 20 E., B.M.

and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:
NE¹/₄SW¹/₄, SE¹/₄SW¹/₄, SW¹/₄SE¹/₄, Sec. 10; NW¹/₄NE¹/₄, Sec. 15, T. 17 N., R. 20 E., B.M.
making a total of 160 acres.

Proof of Completion of Works Made: December 12, 1961

Witness my hand this 14th day of December, A. D. 19 61

Ralph W. Thomas
Deputy State Reclamation Engineer

Cancelled

Permit No. 28358

**Certificate of Completion
of Works**

Dated December 14, 1961

Stream North Fork Big Hat Creek

County Lemhi

Amount 3.2 c.f.s.

Date of Priority December 28, 1959

Recorded in Book 100

of Permits, page 28358

Permit No. 28358

STATE OF IDAHO
Department of Reclamation

RECEIVED
DEC 13 1961

Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Lemhi

ss.

Helen B. Mc Guire, 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. 28358, and that his postoffice address is Ellis Box 52 State of Idaho.

Second: That the name of the stream from which said water is to be diverted is Northfork of Big Hat Creek + Big Hat Cr.

Third: That the point of diversion of said water is SW 1/4 of NW 1/4 of Sec 9, T 17 N. R. 20 E B.M. + NW NW - 10 both in 17 N - 20 E.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Jan. 20, 1962, 1962.

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

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

I. Kind of Works: Ditch
(RESERVOIR, DAM, DITCH, FLUME, PIPE OR OTHERWISE)

II. Dimensions of work:
(a) Height of dam _____ feet, length of dam at top _____ feet, length of dam at bottom _____ feet. Material used in construction _____

(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 2 ft. width at bottom 2 ft. feet, width at water line 4

(STATE WHETHER DITCH, FLUME OR PIPE)

feet, depth of water 1 1/2 feet; diameter of pipe _____ inches, average grade

per mile is 2 feet. Length of conduit is 1 miles.

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

Eighth: That water appropriated under said permit is available for 160 acres of land described as follows: NW 1/4 of NE 4, NE 4 of SW 4, SE 4 of SW 4 and SW 4 of SE 4 of Sec 10 all in T 17 N. R. 20 E

Ninth: Remarks:—That _____

Helen B. Mc Guire
(SIGN HERE)

Subscribed and sworn to before me this 12 day of Dec., 1961

Fredrick Negetes Hook
NOTARY PUBLIC

My commission expires Sept. 21, 1963

PERMIT No. 28358....

Proof of Completion of Works

DEPOSITION OF HOLDER

In compliance with Sec. 5594, Compiled Statutes of Idaho.

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

Ans. HELEN B. MCGUIRE, Box 52, Ellis, 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. Permit No. 28358 - December 28, 1959; 3.2 c.f.s.
..... Big Hat Creek and North Fork of Big Hat Creek in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 9; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 10,

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. ... NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 15; NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 10, all in T. 17 N., R. 20 E.,
..... Rge. 20 E. 160 acres for irrigation.....

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. Dec. 12, 1961, Big Hat creek 60 inches. And the North Fork of Big Hat creek 100 inches.....

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.

Ans. Dec. 12, 1961. Fully completed, in respects of terms of permit.

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. Nona.....

Ques. 8. Give description of works and state dimensions and capacity of each part as they existed on Dec. 12, 1961....., 1961., and give cost of same.

Ans. Cost, \$300.00.... Ditch Headgate & Flume. Headgate, s. width 2ft. height 2 ft. Ditch width at bottom 2ft. width at water line 4ft.
Flume on Big Hat creek ditch 2ft by 12 1/2 ft. length of ditches 1 mi.

(Sign here.)

Helen B. McGuire

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 Salmon, Idaho, County of

..... Lemhi....., State of Idaho, on this 17th..... day of
..... December..... A. D. 1963...

My Commission expires... Oct. 20, 1963.....

[Signature]
Notary Public.

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

PERMIT No.

Proof of Completion of Works

DEPOSITION OF WITNESS

In compliance with Sec. 5594, Compiled Statutes of Idaho.

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

Ans. Mike J. Miller... Box 35 Ellis, Idaho... Rancher.....

Ques. 2. Are you acquainted with Helen B. McGuire....., the holder of Permit No. 28358..... authorizing the diversion of 3.2..... second-feet of the waters of Big Hat creek & the North Fork of Big Hat creek... Tributary of Salmon Riv. for Irrigation... purposes? How long have you known him, and where does he reside?

Ans. ... 20 years... resides on Big Hat creek in Lemhi County, Idaho.....

Ques. 3. Have you read or heard read said Permit No. 28358....., 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. N.W. 1/4 N.E. 1/4 Sec. 15 N.E. 1/4 S.W. 1/4, S.E. 1/4 S.W. 1/4, S.W. 1/4 S.E. 1/4 sec. 10 all in T. 17 N. Range 20 E. Soil is sandy loam 90 acers tillable soil... 90 inches of water required to irrigate.....

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., Dec. 12, 1961.....

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. Ditches, Headgates and Flume. Ditches will carry and estimated 6 second feet of water.....

(Sign here.) Mike J. Miller

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 Salmon, Idaho, County of Lemhi, State of Idaho, on this 17th day of December, A. D. 1963.

My Commission expires Oct. 20, 1964.....

[Signature]
Notary Public.

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

PERMIT No.

Proof of Completion of Works

DEPOSITION OF WITNESS

In compliance with Sec. 5594, Compiled Statutes of Idaho.

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

Ans. Robert D. Dougherty Box 62 Salmon, Idaho Foerst Service
Employee

Ques. 2. Are you acquainted with Helen B. Mc Guire, the

holder of Permit No. 28358 authorizing the diversion of 3.2 second-feet of the waters of Big Hat creek & the North Fork of Big Hat creek Tributary of the Salmon River for Irrigation purposes? How long have you known him, and where does he reside?

Ans. 5 years. Resides on Big Hat creek in Lemhi County, Idaho

Ques. 3. Have you read or heard read said Permit No. 28358, 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. N.W. 1/4 N.E. 1/4 sec. 15 N.E. 1/4 S.W. 1/4 S.E. 1/4 S.W. 1/4 S.E. 1/4 sec. 10 all in T. 17 N. Rge. 20 E. Soil is sandy loam 90 acers tillable soil 90 inches of water required to irrigate.

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 Dec. 12, 1961

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. Ditches Headgate, s & Flume. Ditches will carry and estimated 6 second feet of water.

(Sign here.) *Robert D. Dougherty*

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 Salmon, Idaho, County of Lemhi, State of Idaho, on this 19th day of December, A. D. 1963.

My Commission expires Oct. 20, 1964

[Signature]
Notary Public.

Re: Permit 28358

Helen B. McGuire
Box 52
Ellis, Idaho

Nov. 1, 1961

~~XXXX~~ Madam:

Dear Sir:

28358
Jan. 29, 1962

Under the terms of your permit No. _____ you are required to complete your diversion works on or before _____. I enclose 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 of Works will be issued to you.

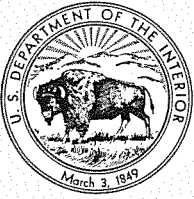
The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof 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.

Very truly yours, GED. N. CARTER

Enc. Form 6

STATE RECLAMATION ENGINEER

28358



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Land Office
P. O. Box 2237
Boise, Idaho

IN REPLY REFER TO:

LO:CRK
Idaho 011110

RECEIVED
JUL 21 1961

JUL 19 1961

NOTICE OF ALLOWANCE Department of Reclamation

Helen B. McGuire

P. O. Box 52

Ellis, Idaho

Dear Madam:

Your Homestead Entry, Serial No. Idaho 011110,
Receipt No. 836243, for SW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 10;
N $\frac{1}{2}$ NE $\frac{1}{4}$, Section 15,
Township 17 N., Range 20 E., Boise Meridian, Idaho,
containing 160 acres, has this day been allowed, subject
to any valid existing rights and your further compliance with laws
and regulations applicable thereto. In correspondence relating to
this entry, always refer to the serial number shown above.

Subject to the reservation of a perpetual right-of-way to the United
States fifty feet in width, extending twenty-five feet on each side of
the centerline of an existing road traversing the N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 10, and the N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 15; T. 17 N., R. 20 E., B.M., Idaho.

Sincerely yours,

cc: DM, I-4 ✓

L&M -- State Recl. Engr., Boise

Donald I. Bailey
Manager

28358

February 12, 1960

Re: Permit No. 28286
28358

Mrs. Helen B. McGuire
Box 52
Ellis, Idaho

Dear Mrs. McGuire:

Enclosed are your permit 28286 you sent with
Receipt No. 29996 for \$2.00.

We are sending two copies of your Permit No.
28286 to the Bureau of Land Management as requested.

We sent two copies of Permit No. 28358 to the
Bureau of Land Management at the same time your copy was sent
to you. You should have received your copy shortly after you
wrote to this office.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS
Office Engineer

RWT:ew
Enc. permit
receipt

February 3, 1960

RE: Permit No. 28358
Mrs. Helen B. McGuire
Box 52
Ellis, Idaho

Bureau of Land Management
P. O. Box 2237
Boise, Idaho

Gentlemen:

We enclose two copies of Permit No. 28358, one of which has been certified, to be used in connection with Desert Land Entry filed in your office by permit holder, Helen B. McGuire of Ellis, Idaho.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Mrs. Edna P. Rule
Chief Clerk

EPR:mr
cc to Helen B. McGuire

February 3, 1960

RE: Permit No. 28358

Helen B. McGuire
Box 52
Ellis, Idaho

Dear Mrs. McGuire:

We enclose Permit No. 28358 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

By this same mail, we have sent to the Bureau of Land Management, two copies of this permit, one of which has been certified, to be used in connection with the Desert Land Entry filed in that office. A copy of that letter is enclosed.

We also enclose departmental receipt No. 29953 which was issued covering payment in the amount of \$2.00 for the copies sent to the Bureau of Land Management. Receipt No. 29946 covering filing fees was sent to you previously.

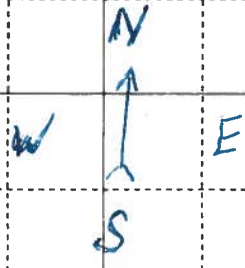
Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr
Enc. permit
receipt
letter

Township 17 N. Range 20E. Boise Meridian



North Fork of Big Hat Cr.

Point of devirson

Big Hat Cr.

Point of Devirson

600 cu. ft. of water to be taken from Big Hat Cr. through this ditch

100 cu. ft. of water to be taken from N. Fork of Big Hat Cr. through this ditch

Ditch no. 1.

Ditch no. 2.

Sec 15

Permit Map No. 28358

As Approved

GEO. H. CARTER

State Reclamation Engineer

JAN 20 1960

Big Hat Cr.



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

Land Office
P. O. Box 2237
Boise, Idaho

P.O.-M.O. Enc #20
IN REPLY REFER TO:

LO:LA
Idaho 011110

RECEIVED
JAN 6 1960

Department of Reclamation
DEC 30 1959

Helen B. McGuire
P. O. Box 52
Ellis, Idaho

Dear Mrs. McGuire:

This is to acknowledge receipt of your proposed plan of irrigation and application for water permit.

It is necessary that this office receive two copies of the issued water permit, not the application for permit. Therefore, you must send an additional \$2.00 with your application for water permit to the State Department of Reclamation for their fee. They will then forward to this office two certified copies of the issued water permit.

Upon receipt of the water permits from the State Department of Reclamation, further action can then be taken on your homestead application.

Sincerely yours,

Donald I. Bailey
Manager

P. S. We are returning your application for permit.

To Dept of Reclamation,
Please read about & send necessary permit
to B.L.M. office enclosed find \$2.00
money order.

Thank you

Helen B. McGuire

28358

December 28, 1959

Re: Application No. 36328

Helen B. McGuire
Box 52
Ellis, Idaho

Dear Mrs. McGuire:

Enclosed is your application for permit to appropriate 3.2 c.f.s. of water from Big Hat Creek with attached receipt No. 29946 for the \$5.75 filing fees.

The maps show diversion from Big Hat Creek and the North Fork to agree with the points of diversion shown under 4 of the application. Under 3 should be shown both streams and the amount of water to be diverted from each.

Your Permit No. 28286 shows a point of diversion from Big Hat Creek in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9, with the ditch to the North Fork at about the point of diversion shown on this application. Possibly you intend to use that ditch and take all water from Big Hat Creek, if so, that ditch should be shown.

Kindly correct or change and return promptly to this office.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rutledge
Chief Clerk

RT:EPR:ew
Enc. application
receipt

28358 R1

**NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE**

Notice is hereby given that at 11:00 a.m. on the 2nd day of February, 1964, at Salmon, County of Lemhi, State of Idaho, before Florence M. Martin, proof will be submitted of the application to beneficial use of 1.8 cubic feet per second of the waters of Big Hat Creek and No. Fk. Big Hat Cr. in accordance with the terms and conditions of Permit No. 28358 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and post office address of the person holding said permit Helen B. McGuire, Box 52, Ellis, Idaho.

The use to which said water has been applied is Irrigation.

The amount applied to beneficial use is 1.8 cfs.

The point of diversion of said water is SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 9, and NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 10, Twp. 17 N., Rge. 20 E.B.M.

The place where said water is used (LEGAL DESCRIPTION) NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 10; NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 15, Twp. 17 N., Rge. 20 E.B.M.

The date of priority which said user is prepared to establish is Dec. 28, 1959.

CARL T. TAPPEN,
State Reclamation Engineer

28358

1-2-4tc