

State of Idaho

License and Certificate of Water Right

Water License No. 16187.....

Amount 0.02 sec. ft.

Water District No. 91-C.....

Priority 1-12-25.....

THIS IS TO CERTIFY that Joe Guarascio
 of Kellogg, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated January 12, 1925; that Permit No. 16187
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
 0.28 second feet, was issued thereunder on October 26, 1925, showing that said works
 were completed on the 21st day of October, 1925; and that on the 31st
 day of December, 1925,

Joe Guarascio

of Kellogg, State of Idaho, made proof to the satisfaction of the
 Commissioner of Reclamation of Idaho, of the right to use the waters of an Unnamed
 Creek, a tributary of Moon Creek, for the purpose of irrigation and
 domestic use under Use Permit No. 16187 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 6
 of Licenses, at page 3395, on the 7th day of September, 1926;

The right hereby confirmed dates from January 12, 1925;

The Point of Diversion is located
 in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 35, Tp. 49 N., R. 3 E., B. M. Shoshone 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 0.02
 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
49 N.	3 E.	35	SE $\frac{1}{4}$ NE $\frac{1}{4}$	2	1

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 7th day of September, 1926

W. G. SWENDSEN

Commissioner of Reclamation

(SEAL)

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	
49 N.	3 E.	35	2		7	2										3		14	

Permit No. 16187
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that Joe Guarascio, of Kellogg, County of Shoshone, and State of Idaho, the holder of Permit No. 16187, issued upon Application No. 22969, bearing date of priority of January 12, 1925, authorizing the diversion of 0.28 second feet of the waters of an unnamed creek, County of Shoshone, 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 0.28 second feet of the waters of an unnamed creek; that the point of diversion of said waters is in the SE¼ NE¼ Sec. 35, T. 49 N., R. 3 E.B.M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SW¼ NE¼, SE¼ NE¼, NW¼ SE¼, Sec. 35, T. 49 N., R. 3 E.B.M.

Witness my hand this 26th day of October, A. D. 1925.

W. G. SWENDSEN,
Commissioner of Reclamation.

Proof of Completion of works made October 21, 1925
Certificate issued October 26, 1925.

License issued for 0.28 second feet

Vol. 6 Page 3395

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

Permit No. 16187This proof is for Beneficial UseIn Water District No. 91-C

1. Name of applicant: Joe Guarascio
2. Source of water supply: Unnamed Creek, tributary of Moon Creek
3. Location of point of diversion: Is in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 35
T. 49 N R. 3 E.B.M. County of Shoshone

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

Timber crib and log dam 25' long 5' high.

800' 2" pipe from dam.

Cap. 1 sec. ft.

5. Water is used for: Irrigation & Domestic
6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): ~~NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ & NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 35, Twp. 49 N., R. 3 E., B.M.~~

1 Ac. in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 35

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

8. What large stream would the water here appropriated finally reach? Moon Crk and

Remarks: S.F.K. Coverdale River

This examination was made on the 15 day of August 1926

(Signed)

16187

Examiner.

JOHN GUARASCIO
Wallace

Permit No. 16187

Examination for Beneficial Use

County SHOSHONE

3 miles above Kellogg on
North Moon Creek

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.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. _____

REPORT ON PROOF OF _____

APPLICATION FOR PERMIT 94-2131

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 22969
Permit No. 16187
District No. 91-C

1. Name of Applicant: **Joe Guarascio**

Postoffice address: **Kellogg**

County: **Shoshone**

State: **Idaho**

I. If applicant is a corporation, give:

(a) Date and place of incorporation:

(b) Amount of capital stock:

(c) Amount paid in:

(d) Names and addresses of directors:

II. The financial resources of the applicant are:

(b) Treasury stock:

(d) Other resources:

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: **0.28**

cubic feet per second.

3. Source of water supply: **Unnamed Creek**

which is a tributary of **Moon Creek**

4. Location of point of diversion: **2277**

feet distant from the **NE**

corner of Section **35**, T. **49 N.**, R. **3 E.**, B. M., and is in the **SE $\frac{1}{4}$ NE $\frac{1}{4}$**

of Section **35**, T. **49 N.**, R. **3 E.**, B. M., County of **Shoshone**

5. Water is to be used for: **Domestic and 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: \$ **1000.00**

8. Kind of works: **Dam and pipe (3" and 1")**

9. Height of dam **3** feet; length of dam at top **10** feet; length of dam at bottom **6**

feet; material used in dam: **Earth**

10. Size of headgate: Width **1** feet; height **1** feet

11. Ditch: Width at bottom _____ feet; width at water line _____ feet; depth of water

feet; dimensions of flume

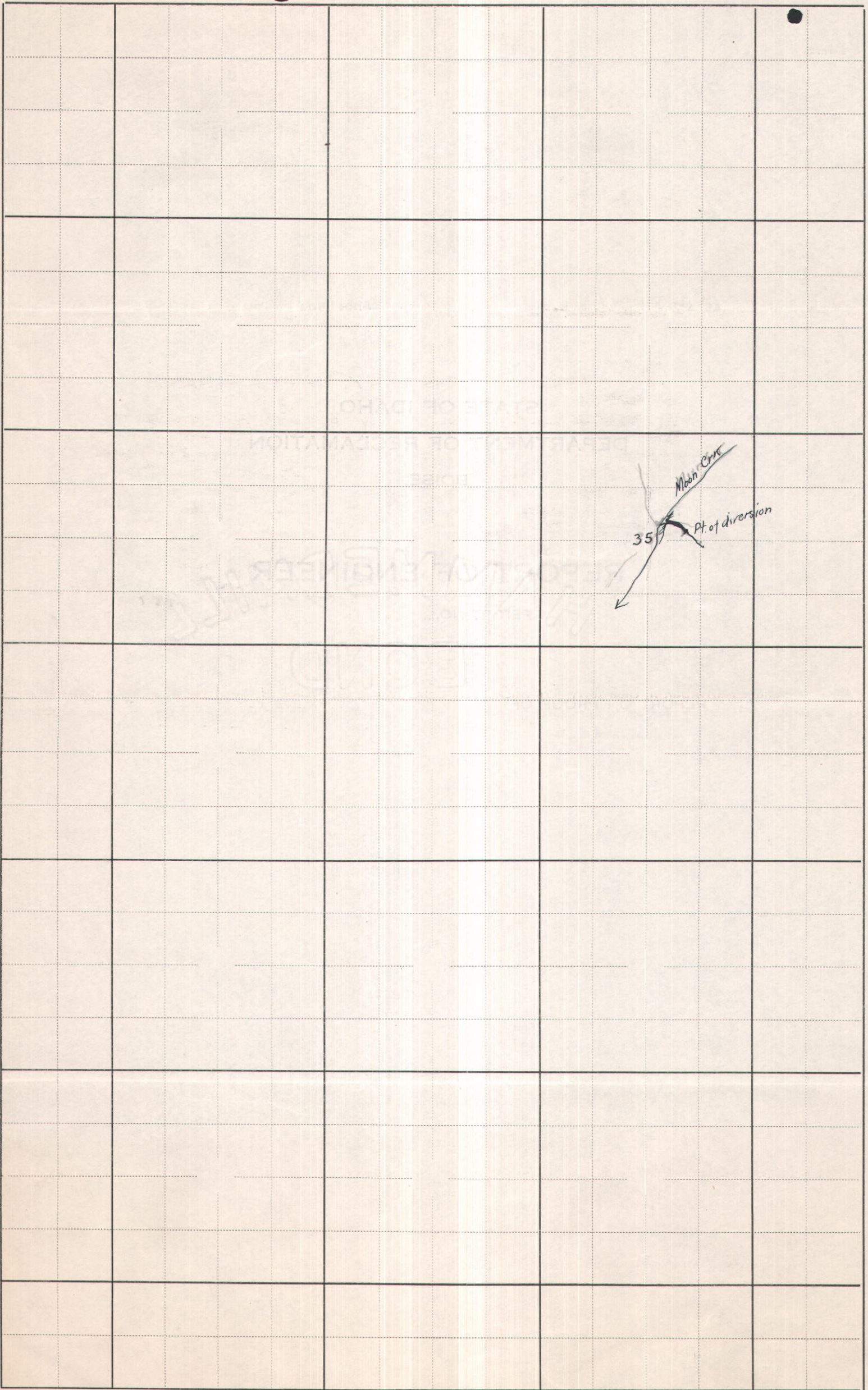
Diameter of pipe **3** inches; length of conduit **990 feet** miles.

Average grade per mile **200** feet

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

13. The time required for the complete application of the water to the proposed use is **no** additional years.

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



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT No. 16187

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Joe. Guarascio, 50 yrs, Moon Creek, County of Shoshone, Idaho,
blacksmith, Kellogg, 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. _____

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

Ans. No. 16187, dated January 14, 1925, Date of Priority Dec. 31, 1925

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

Ans. Unnamed Creek. Point of Diversion 2277 ft. ~~NE~~ from N.E.
Cor. Sec. 35, T. 49 N., R. 3 E., B.M. on in S.E. 1/4, N.E. 1/4, Sec. 35

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. Emile & Wood Dam 10' top, 3' high, 6' at bottom, 900' ft. of
3" and 1" iron Pipe. 0.28 cu. ft. per second.

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 cultivate or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Domestic and Irrigation. Sec. 35, T. 49 N., R. 3 E., B.M.
N.E. 1/4, N.E. 1/4 = 2 acres. S.W. 1/4, N.E. 1/4 = 7 acres, S.E. 1/4, N.E. 1/4 = 2 acres,
N.W. 1/4, S.E. 1/4 = 3 acres. Total 14 acres. 3 acres garden and
orchard, balance meadow land. 1" pipe with spray

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

Ans. Domestic = Connections with house and barn

16187

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

Ans. 0.25 cu. ft. per acre

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

Ans. _____

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

Ans. Since June 1, 1925 for irrigation on 600 acres of
permits in house. Full amount during summer
for irrigation

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 right claimed thereunder.

Ans. No other appropriations or rights claimed

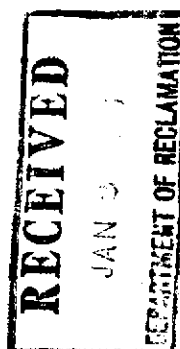
(Sign) Joe Guarasio

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 Wallace, Idaho, County of Shoshone

State of Idaho, on this 31 day of December A. D. 19 25

Geo. H. Wanner

Notary Public.



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT No. 16187

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. Basil Rizzonelli, 53 yrs, Wallace, Merchant, Wallace, Idaho

Ques. 2. Are you acquainted with Joe Guarascio, the holder of Permit No. 16187? How long have you known him and where does he reside?

Ans. Yes, 20 yrs. Moon gulch, County of Shoshone, Idaho.

Ques. 3. Have you read or heard read said Permit No. 16187, 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. Unnamed Creek, in S.E. 1/4, N.E. 1/4, Sec. 35, T. 49 N., R. 3 E., B. 1 N.
Smith and Wood dam 10' top, 3' high, 6' bottom with 900 ft
3" and 1" iron 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. 0.25 cu. sec. ft.

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. Domestic and Irrigation Sec. 35, T. 49 N., R. 3 E., B. 1 N.
N.E. 1/4, N.E. 1/4 = 2 acres, S.W. 1/4, N.E. 1/4 = 7 acres, S.E. 1/4, N.E. 1/4 = 2 acres
N.W. 1/4, S.E. 1/4 = 3 acres = Total 14 acres 3 acres garden and
orchard balance meadow land 1" Pipe with spray

16187

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

Ans. Domestic - connections with house and barn

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. garden and meadow land 1/2 cu. sec. etc.

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. During past summer, by spray in garden and in house to full extent

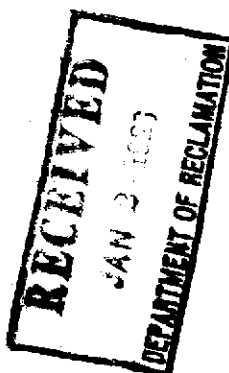
(Sign) Basil Rizzonelli

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 Wallace, County of Choshone, State of Idaho, on this 31 day of December A. D. 1925

Geo. W. G. Waver

Notary Public.

My commission expires June 16 1927



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT No. 16187

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. Toney Matete, 39 yrs, Wallace, Idaho, hotel-keeper
Wallace, Idaho.

Ques. 2. Are you acquainted with Joe Guarascio, the holder of Permit No. 16187? How long have you known him and where does he reside?

Ans. 15 yrs. Moon Gulch, County of Shoshone? Idaho

Ques. 3. Have you read or heard read said Permit No. 16187, 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. Mananand Creek, in S.E. 1/4, N.E. 1/4, Sec. 35, T. 49 N., R. 3 E., B.M. Build one wood dam 10' top, 3' high, 6' bottom with 900 ft. 3" steel iron 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. 0.28 cu. sec. ft.

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. Domestic and Irrigation, Sec. 35, T. 49 N., R. 3 E., B.M. N.E. 1/4, N.E. 1/4 = 2 acres, S.W. 1/4, N.E. 1/4 = 7 acres, S.E. 1/4, N.E. 1/4 = 2 acres N.W. 1/4, S.E. 1/4 = 3 acres = Total 14 acres. 3 acres garden and orchard balance meadow land

16187

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

Ans. Domestic - connections with house and barn

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. garden and meadow land
1/2 cu. sec. or thereabouts

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.

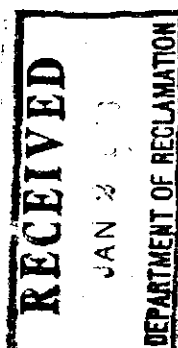
Ans. During past summer by spray in garden and in house to full extent.

(Sign) Tony Motetta

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 Wallace, County of Shoshone, State of Idaho, on this 31 day of December A. D. 1925.

Geo. W. Warner
Notary Public.

My commission expires June 16th 1927



P.O. Box 612
Wallace, Idaho

Form 10

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 a. m. on the 31st day of December, 1925,
at Wallace, County of Shoshone, State of Idaho,
before Geo. W. Walker, Notary Public, proof will be submitted
of the application to beneficial use of 0.28 cubic feet per second of the
waters of Unnamzed Creek, tributary to Moon Creek in accordance with the terms and conditions of
Permit No. 16,187 heretofore issued by the Department of Reclamation
of the State of Idaho.

The name and postoffice address of the person ~~or corporation~~ holding said permit ~~are is~~
Joe Guarascio, of Wallace, Idaho

The use to which said water has been applied is Domestic and Irrigation

The amount applied to beneficial use is 0.28 cubic feet per second

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) H.E. Survey No. 771 comprising
Tracts "A" and "B" embracing a portion of sec. 35, T. 49 N., R. 3 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 Pipe Line

The right to take water from such works is based upon Permit No. 16,187

The source of supply from which such water is diverted is Unnamzed Creek
tributary of Moon Creek

The date of the priority which said user is prepared to establish is January 2, 1925
diversion of water from Moon Creek December 31, 1925

8E-W-35-49N-3E

11-6

Shoshone

W. G. Swendsen,
Commissioner of Reclamation.

16187

Permit No.

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO,
County of Shoshone } SS

Joe Guarascio, 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. 16187, and that his postoffice address is Wallace, P.O. Box 612 State of Idaho

Second: That the name of the stream from which said water is to be diverted is

Unnamed Creek, tributary of Moon Creek

Third: That the point of diversion of said water is 2277 ft. from the N.E. Cor. of Sec. 35, T.49N., R.3E., B.M. and is in S.E. 1/4, N.E. 1/4 of Sec. 35

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by January 14, 1926.

Fifth: That the use for which said water is intended is Domestic and 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: Reservoir, dam & pipe
(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:

(a) Height of dam 6 feet, length of dam at top 30 feet, length of dam at bottom 10 feet. Material used in construction logs, earth and sand

(State whether wood, earth, stone or concrete.)

(b) Capacity of reservoir 1/7 acre feet.

(c) Size of headgate: Width 1 feet, height 1 feet.

(d) Conduit width at bottom feet, width at water line

(State whether ditch, flume or pipe.)

feet, depth of water feet; diameter of pipe 2 inches, average grade per mile is 300 feet. Length of conduit is 1/10 miles.

Seventh: That said works are capable of conducting to the place of intended use 0.28 second feet of water.

Eighth: That water appropriated under said permit is available for 14.6 acres of land described as follows: H. E. Survey No 771
Comprising Tracts "A" and "B" embracing
a portion of Sec. 35, T.49N., R.3E., B.M.

Ninth: Remarks: That a 1" pipe carries water to the house and
several 1" feeder pipes convey water to the garden on
parts of the 14.6 acres.

Subscribed and sworn to before me this 21 day of October, 1925

My commission expires June 16 - 1927

Notary Public.

16187

16187

Name of Applicant *Joe Swendsen*

T49N, R3E

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

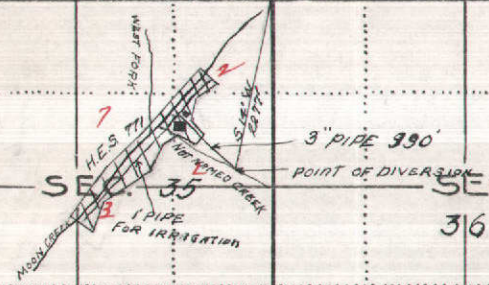
SEC.

SEC.

SEC.

SEC.

SEC.



Petition Map No. *16187*

As Approved

January 14, 1925

W. G. SWENDSEN
Commissioner of Rock Springs

16187