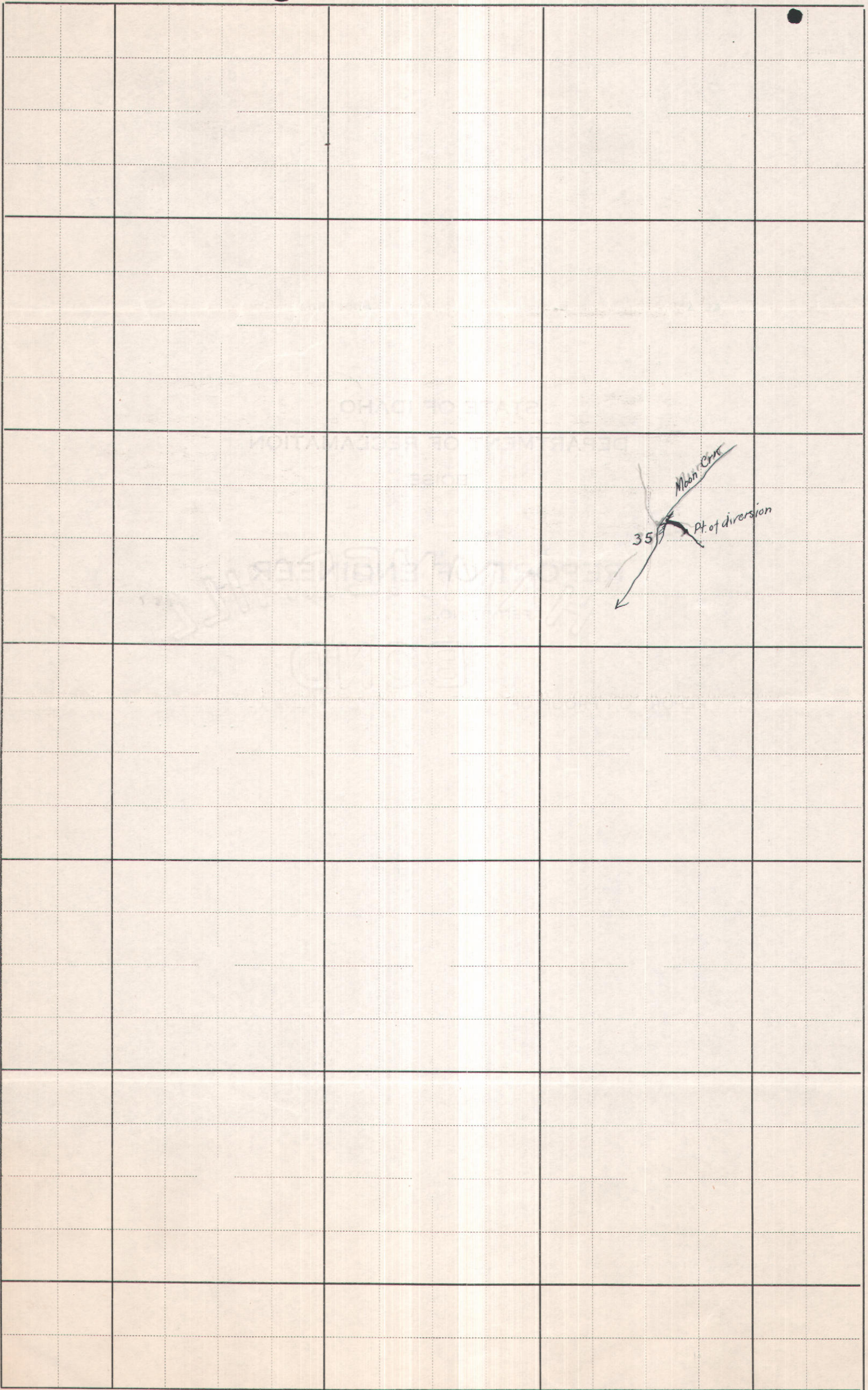




January 9, 1926.

Re: Permit No. 16187.

Mr. Joe Guarascio,
Kellogg, Idaho.

Dear Sir:-

We are just in receipt of depositions of yourself and two witnesses, together with affidavit of publication for proof of beneficial use of water under the above permit. These are in proper form and will be placed on file here, without further action, pending the report by our field engineer later in the season. You will then be advised as to fees due before issuing license. This examination will probably not be made before July or August but you will lose no rights by reason of the delay.

Very truly yours,
W. G. SWENDSEN,
Commissioner of Reclamation.

By _____
Chief Clerk.

16187

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 Unnamed 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 Unnamed Creek
tributary of Moon Creek

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

8E-WO - 35 - 49 N - 3 E

91-L

Shoshone

W. G. Swendsen,
Commissioner of Reclamation.

16187

16187

Name of Applicant *Joe Swendsen*

T49N, R3E

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

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SEC.

SEC.

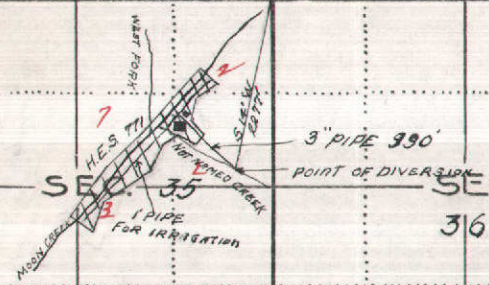
SEC.

SEC.

SEC.

SEC.

SEC.



Petition Map No. *16187*

As Approved

January 14, 1925

W. G. SWENDSEN
Commissioner of Rockingham

16187

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)

State of Idaho

License and Certificate of Water Right

Water License No. 15986

Amount 0.12 sec. ft.

Water District No. 91-C

Priority 4-28-24

THIS IS TO CERTIFY that Carl August Bergman
 of Wallace, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated April 28, 1924; that Permit No. 15986
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
 0.8 second feet, was issued thereunder on May 12, 1925, showing that said works
 were completed on the 21st day of April, 1925; and that on the 7th
 day of May, 1926,

Carl August Bergman
 of Wallace, State of Idaho, made proof to the satisfaction of the
 Commissioner of Reclamation of Idaho, of the right to use the waters of Rock Creek
 , a tributary of S. Fork Coeur d'Alene River, for the purpose of irrigation and
 domestic use, under Use Permit No. 15986 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 3396, on the 9th day of September, 1926;

The right hereby confirmed dates from April 28, 1924;

The Point of Diversion is located
 in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, Twp. 48 N., R. 5 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 0.12
 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
48 N.	5 E.	31	NW $\frac{1}{4}$ NE $\frac{1}{4}$	40	6

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

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho,
 this 9th day of September, 1926.

W. G. SWENDSEN
 Commissioner of Reclamation

(SEAL)

By Geo. H. Carter
 Assistant.

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.**

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

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

Joe Guarascio

Applicant.

By **M. C. Tobin**

Agent.

Date of first receipt at Department of Reclamation. 9 A. M., January 12, 1925.

Returned to applicant for correction.

Corrected application received.

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is **16187**

Recorded in Book 58 Page 16187 Approved January 14, 1925

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

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

Work to begin on or before **March 16, 1925** and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before **July 14, 1925**

The whole of said work to be completed on or before **January 14, 1926**

Beneficial use of water appropriated in accordance herewith, to be made on or before **January 14, 1926**

Witness my hand this 14th day of January, 1925

W. G. SWENDSEN
Commissioner of Reclamation.

Remarks:

14 Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
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 SE $\frac{1}{4}$ NE $\frac{1}{4}$ 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: SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, 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

September 10, 1926

Re: Permit No. 16187

Mr. Joe Guarascio
Kellogg, Idaho

Dear Sir:-

Inclosed herewith you will
find the Water License issued to you
under the above numbered Permit, to-
gether with receipt for fees paid.

Very truly yours,

W. G. SWENDSEN
Commissioner of Reclamation

By _____
Chief Clerk

CB:HH
ENC:

16187

Kellogg, Idaho
Sept. 3 1926

State of Idaho
dept, of Reclamation
W.G. Swendsen, Commissioner
Boise, Idaho

Dear sir.

Enclosed you will find the
remittance of two(\$2.00) dollars for the
license for the use of the water

Yours Truly
Joe Guarascio
Kellogg, Idaho

16187

August 26, 1926

Re: Permit No. 16187

Mr. Joe Guarascio,
Kellogg, Idaho

Dear Sir:-

The report of our examining
engineer on proof of beneficial use of
water is now on file in this office.
Upon the receipt of fees in the sum of
\$2.00 the license will be issued.

The report of our engineer
shows 1 acre under irrigation in the SE $\frac{1}{4}$
NE $\frac{1}{4}$, Section 35.

Very truly yours,

W. G. SWENDSEN
Commissioner of Reclamation

By _____ Chief Clerk

CB:HH

16187

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 19 26

(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

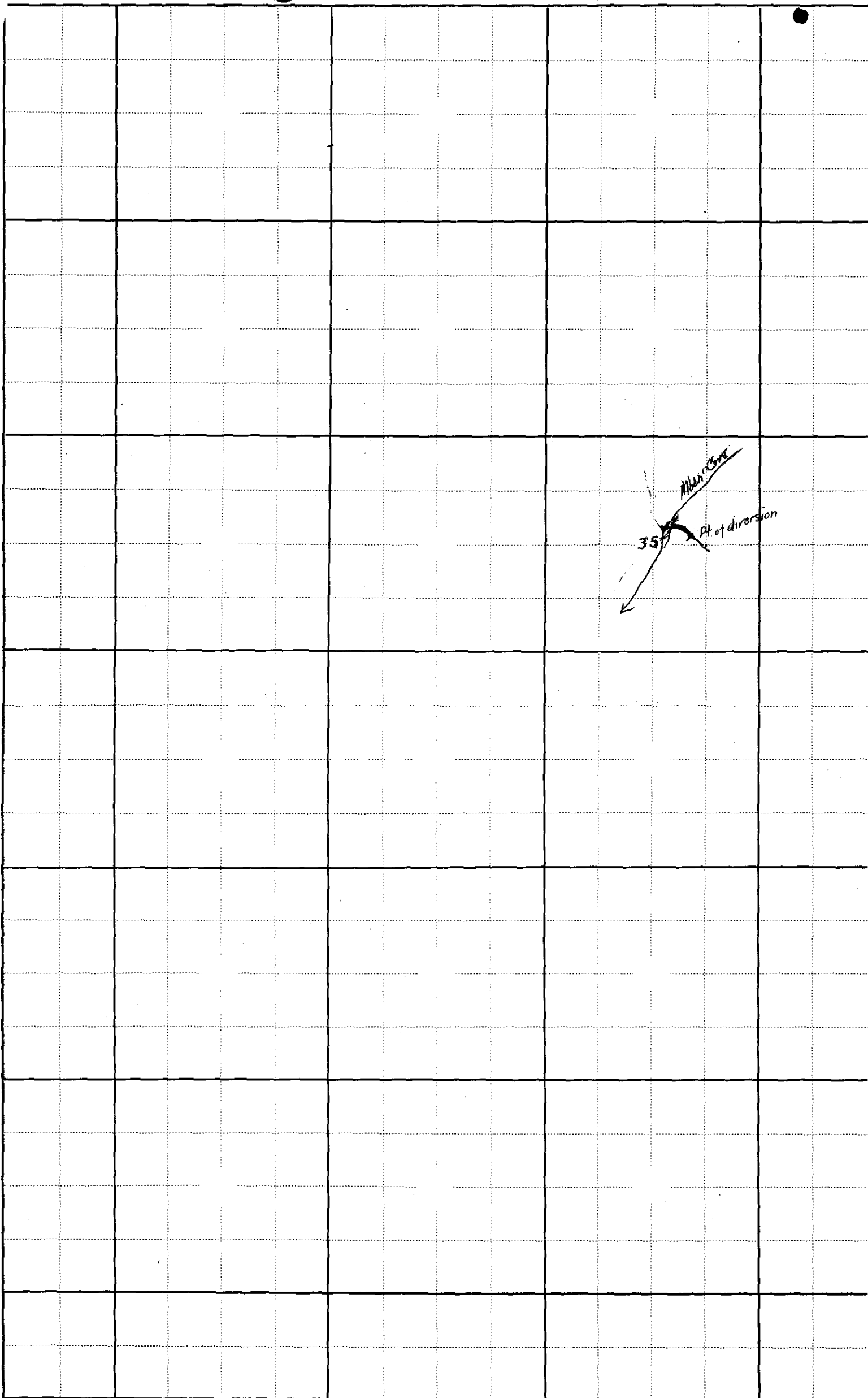
1. Always carefully note the location of the point of diversion, and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the 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 _____



January 9, 1926.

Re: Permit No. 16187.

Mr. Joe Guarascio,
Kellogg, Idaho.

Dear Sir:-

We are just in receipt of depositions of yourself and two witnesses, together with affidavit of publication for proof of beneficial use of water under the above permit. These are in proper form and will be placed on file here, without further action, pending the report by our field engineer later in the season. You will then be advised as to fees due before issuing license. This examination will probably not be made before July or August but you will lose no rights by reason of the delay.

Very truly yours,
W. G. STENDSEN,
Commissioner of Reclamation.

By _____
Chief Clerk.

16187

PROOF OF PUBLICATION

STATE OF IDAHO,

County of Shoshone.

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 George 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 Unnamed creek, tributary of 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 holding said permit 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 Unnamed creek, tributary of Moon creek.

The date of the priority which said user is prepared to establish is January 12, 1925.

W. D. SWENDSEN,
Commissioner of Reclamation.
Nov. 27, Dec. 4-11-18-25, 1925.

My commission expires March 4, 1926.

J. H. Shivers, being first duly sworn,
deposes and says:

That he is the Editor of the Press-Times Publishing Company, publishers of the Weekly Press-Times Mining Review, a weekly newspaper printed and published at Wallace, Shoshone County, State of Idaho, which said newspaper has a general circulation in said county, and has been continuously and uninterruptedly printed and published in said county during a period of seventy-eight (78) consecutive weeks prior to the 27 day of November, A. D., 1925. That the Notice for Publication of which a complete and correct copy is hereto attached, was first published in said newspaper in its issue dated the 4th day of November, A. D., 1925 and was published in each successive issue of said newspaper for 5 issues, the last publication thereof being in the issue dated the 25 day of December, A. D., 1925.

Subscribed and sworn to before me this

28th day of Nov, A. D., 1925.

E. H. Wallace
Notary Public for the State of Idaho,
residing at Wallace, Idaho.

16187

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 60 acres of
permitted 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

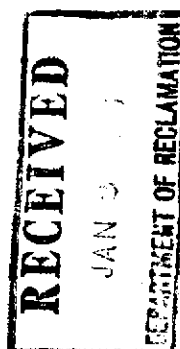
(Sign) Joe Guarasio

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.
Build one wood dam 12' 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

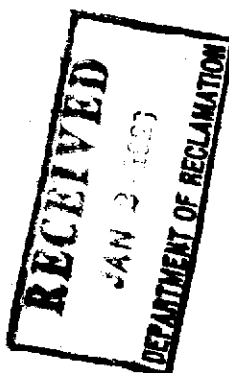
(Sign) Basil Rizzonelli

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. Hammond 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.

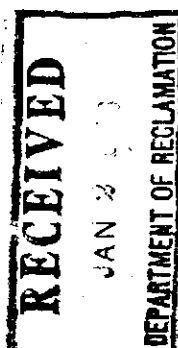
Ans. During past summer by spray in garden and in house to full extent.

(Sign) Tony Motella

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



State of Idaho

DEPARTMENT OF RECLAMATION BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, December 15, 1925.

Joe Guarascio,

c/o Gen. W. Walker,
Wallace, Idaho.

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 16187

DEPOSITION OF PERMIT HOLDER,
DEPOSITIONS OF TWO WITNESSES.

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

1. On December 31, 1925, the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at Wallace before Geo. W. Walker, notary public.

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice.

When these have been received, together with report of the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued.

Yours truly.

F. G. SWENDSEN,
Commissioner of Reclamation.

16187

The Press-Times Publishing Co., Ltd.

DAILY PRESS-TIMES -- WEEKLY MINING REVIEW
JOB PRINTERS

WALLACE, IDAHO.

Dec. 10, 1925.

Hon. W. G. Swendsen,
Commissioner Reclamation,
Boise, Idaho.

Dear Sir:

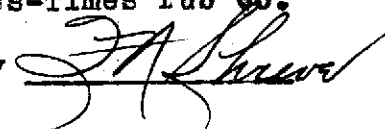
Ansering your letter of 7th inst referring to letter of Mr. J. P. Hall advising that Permit #16187-Joe Guarascio has not been received by us for publication, will say that we received the permit more than two weeks ago; third publication will appear in our weekly Dec. 11.

At the time the notice was received, Mr. Hall was in Montana on business; since that date we have called his office but been unable to communicate with him. We will advise Mr. Hall at the first opportunity.

Yours very truly,

Press-Times Pub Co.

By



PS

16187

December 7, 1925.

Re: Permit 316187-Joe Guarascio

Press-Times Publishing Co.,
Wallace, Idaho.

Gentlemen:-

We are today in receipt of a letter from Mr. J. P. Hall, agent for the holder of the above permit, advising us that notice for publication under the above numbered permit had not been received by you. This, we think, must be a mistake as we have your letter of November 24 advising us that the notice had been received and that the first publication would appear in the issue of November 27th. Please advise us as to whether or not this publication has been made. If it has not, then it will be necessary for the date of making proof to be set farther ahead.

Very truly yours,
W. G. SWENDSEN,
Commissioner of Reclamation.

By _____
Chief Clerk.

16187

December 7, 1925.

Re: Permit No. 16187- Joe Guarascio.

Mr. Julius P. Hall,
Wallace, Idaho.

Dear Sir:-

Referring to your letter of the 4th inst. would say that, on November 27th we received a letter from the Wallace Press-Times, acknowledging receipt of the notice of proof under the above numbered permit and advising us that the first publication would appear in the issue of that date. The publication must, therefore, have been overlooked in the newspaper office. If the first publication has not yet been made, it will be necessary to set the date for making proof farther ahead than December 31st in order to allow for the required four weeks. We are today writing the paper in regard to this publication.

Very truly yours,
W. G. SWENDSEN,
Commissioner of Reclamation.

By _____
Chief Clerk.

16187

JULIUS P. HALL
MINING ENGINEER
WALLACE, IDAHO

December
4th,
1925.

Commissioner of Reclamation,
Boise, Idaho.

Dear Sir:

Re: Permit No. 15981.

Regarding blanks sent me Nov. 2, 1925,
for reinstatement of Permit No. 15981, Johnson has
lost his copy of permit. Can you send me a copy
so that blanks may be filled in properly? Any
charges will be remitted with other papers.

Re: Permit No. 16187: Mr. Joe Guarascio
wishes to know when the Proof of Completion of Works
is to be published in the Press Times. They tell
him the papers have not been received. Otherwise
he is ready to sign final papers any time.

JPH:F

Very truly yours,

Julius P. Hall
Julius P. Hall

16187

The Press-Times Publishing Co., Ltd.

DAILY PRESS-TIMES - WEEKLY MINING REVIEW
JOB PRINTERS

WALLACE, IDAHO.

Nov 24, 1925.

Hon. W. G. Swendsen,
Commissioner of Reclamation
Boise, Idaho.

Dear Sir:

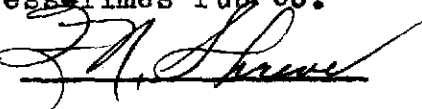
We are in receipt of yours of the 20th inst
enclosing "Notice of Proof Application of Water
To Beneficial Use", wherein Joe Guarascio,
Wallace, Idaho, is applicant.

First publication will appear in Weekly Press-
Times of Nov. 27, 1925, and copy of same will be duly
furnished you.

Thanking you, we are

Yours truly,

Press-Times Pub. Co.

By 

Dec 31 - 25 -

16187

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

DATE November 20, 1925.

The Wallace Press-Times,
Wallace, Idaho.

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to December 31, 1925, the date set for proof, the expense of the publication to be paid by the applicant, Joe Guarascio, of Wallace, to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

16187

October 26, 1925.

Re: Permit No. 16187

Mr. Joe Guarascio,
Wallace, Idaho
P.O. Box 612.

Dear Sir:

Enclosed please find
certificate of completion of works under
the above named permit, together with
receipt for fees paid.

Very truly yours,

W. G. SWENDSEN
Commissioner of Reclamation

By

Chief Clerk

H-Enc.

16187

October 24, 1925.

Re: Permit 16187.

Mr. Joe Guarascio,
P.O. Box 612,
Wallace, Idaho.

Dear Sir:-

We are today in receipt of your affidavit for proof of completion of works, with \$5.00 fee, also, notices for proof of beneficial use of water. The certificate of completion of works will be issued and mailed to you within the next few days.

Notice of proof of beneficial use will be mailed to the Press-Times, at Wallace, for the required publication prior to December 31st, the date set for proof, and deposition blanks will be mailed to the notary public at Wallace.

An examination will be made by an engineer from this office but this cannot be done until spring weather opens up. However, you should make the proof on the date advertised and mail the depositions, with the affidavit of publication, to this office.

Very truly yours,
W. G. SWENDBEN,
Commissioner of Reclamation.

By _____
Chief Clerk.

16187

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) October 21, 1925

(P. O.) Wallace, Idaho, P.O. Bx. 612

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the Press-Times of Wallace, published in the county in which the works are situated.

Geo. Lyman

(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.

Julius P. Hall
Engineer.

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 Unnamed 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 Unnamed 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 Geo. W. Warner Notary Public.

16187

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

October 5, 1925

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Mr. Joe Guarascio,
Kellogg, Idaho

Boise, Idaho,

Dear Sir:—

Under the terms of your permit No...~~16187~~....you are required to complete your diversion works on or before. ~~Jan. 14, 1926~~ I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

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

Yours truly,

W. C. SWENDSEN
Commissoner of Reclamation.

16187

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Mr. Joe Guarascio,
Kellogg, Idaho

October 5, 1925

Dear Sir:

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your Permit No. 16187....., which kindly fill out and return to me at least 60 days before the date upon which you wish to submit proof. The date of the proof is set out in your permit, and if proof is submitted subsequent to that your priority will be advanced a time equal to the difference of the time between the date proof should have been submitted and date it is submitted.

Yours truly,

W. G. SWENDSEN
Commissioner of Reclamation.

16187

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

Permit No. 16187

Mr. M. C. Tobin
Box 244
Wallace, Idaho

Boise, Idaho, January 14, 1925

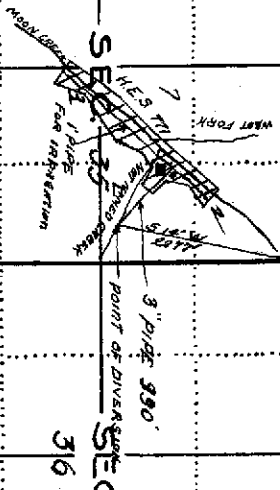
Dear Sir:

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

W. G. SWENDSEN
Commissioner of Reclamation.

16187

149N, R3E



Page and No. 16/87

A. S. E. C. I. v. A. S. E. C. I.

January 14, 1925
W. G. SWENDSEN
Commissioner of Reclamation