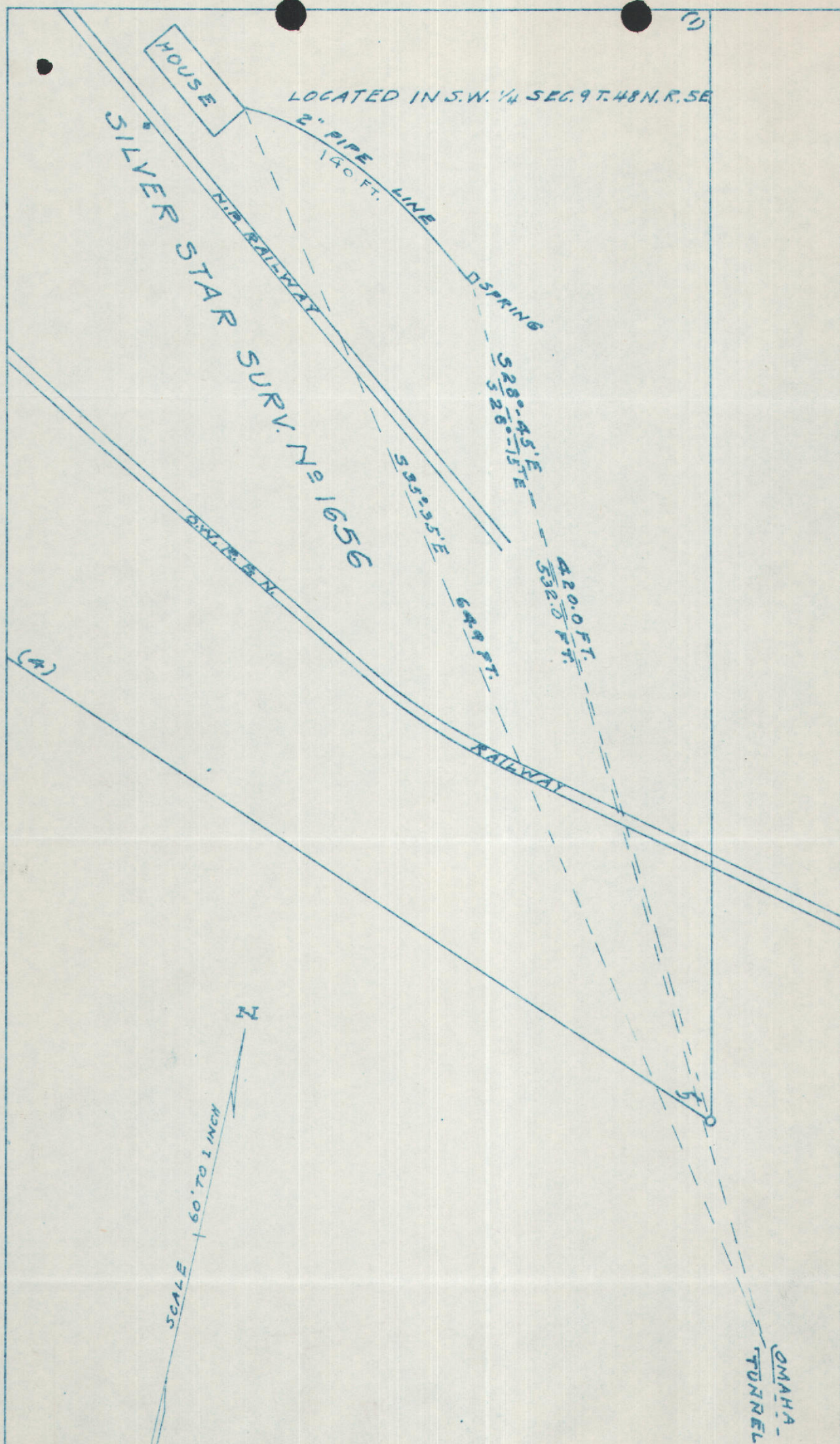




MAP
OF
WORKS OF DIVERSION
BY
L. H. Hays.
PERMIT No. 12528.

12528

P.V. R. R. N.

656

1955 E

(R)

N

SCALE 160' TO 1 INCH

WATER
APPL

17 578

1.1

County: Shoshone.
Stream: Spring.
Amount: 1/50 of 1 sec. ft.
Use: Domestic.
Priority: Sept. 18-16.

STATE OF IDAHO

Water License No. 12528.
Water District No. 91 C.

WHEREAS, On the 18th day of September, A. D. 1916, L. H. Hays,

of Wallace, County of Shoshone, State of Idaho, duly made application (No. 18019) to me for a permit to use 1/10 of 1 cubic foot per second of the waters of a small spring, in Water District No. 91 C.,

County of Shoshone, State of Idaho, for domestic purposes, and,

WHEREAS, On the 26th day of September, A. D. 1916, Permit No. 12528 was issued to said applicant for the diversion of said water and providing for the completion of the works of diversion therein described on or before the 26th day of September, A. D. 1917, and for the application to beneficial use of said water on or before the 26th day of September, A. D. 1918, and,

WHEREAS, On the 3d day of February, A. D. 1917, L. H. Hays,

the holder of said permit, duly made proof of the completion of adequate works for the diversion of 1/10 of 1 cubic foot per second of said waters, as evidenced by my Certificate No. 12528 dated September 21, 1917, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 1/10 of 1 cubic foot per second of said waters, with date of priority of September 18, 1916, and

WHEREAS, On the 3d day of February, A. D. 1917, L. H. Hays,

the holder of said permit, duly made proof of the application to beneficial use of 1/50 of 1 cubic foot per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to L. H. Hays,

of Wallace, County of Shoshone, State of Idaho, the holder and owner of said Permit No. 12528, a perpetual right, dating from September 18, 1916 to the use of 1/50 of 1 cubic foot per second of the waters of a small spring,

in the County of Shoshone and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point N. 28° 15' W. 532 ft. from the portal of the Omaha Tunnel,

and conducted to ~~and upon~~ the dwelling of applicant, about 140 feet from the spring,

for the purpose of domestic use, subject, however, to the laws of the State of Idaho, applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 21st day of September, A. D., nineteen hundred and seventeen.

(Seal)

J. H. Smith,

State Engineer.

Application No. 18019
Permit No. 12528

APPLICATION FOR PERMIT

94-2103

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

District No. 91-C

1. Name of applicant: L.H. Hays

Postoffice address: Wallace County Shoshone State: Idaho

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

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

2. The quantity of water claimed is one-tenth cubic feet per second.

3. Source of water supply: small spring

4. Location of point of diversion: N. 28° 15' W. 532 feet distant from the portal of the Omaha Tunnel and N. 28° 45' W. 420 ft. from Cor. 5 Sur. 1656 Silver Star Lode, and is in the SW $\frac{1}{4}$ of Section 9 T. 48 N.R. 5 E.P.M. County of Shoshone

5. To be used for: Domestic purposes (See "Remarks")

- I. Irrigation and domestic use:
- (a) Amount of land to be irrigated: acres.
 - (b) In the following legal subdivisions:

II. Mining, milling, power, manufacturing, transportation or other purposes:

(a) At what point:

- (b) Amount of power to be generated: H. P. under ft. head
- (c) Is water to be returned to any stream? (d) If so, name stream and locate point of return:

6. Estimated cost of works: \$100

7. Description of works for diversion:

I. Kind of works: tank and 2" pipe

II. Dimensions of works:

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

(b) Capacity of reservoir acres feet. (c) Size of headgate, width feet,
Height feet. (d) Conduit width at bottom feet,
width at water line feet, depth of water feet; diameter of pipe

2 inches; average grade per mile is feet. Length of conduit is 140 feet, and it crosses the following quarter sections:

8. The time required for the completion of the construction of such work is one years.

9. Time required for the complete application of the water to the proposed use is one additional years.

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

L.H. Hays Applicant.

By A.H. Featherstone Agent.

Date of first receipt at office of State Engineer 9:00 A.M. Sep. 18, 1916

Returned to applicant for correction

Corrected application received

APPROVAL OF STATE ENGINEER

The number of this permit is 12528

Recorded in Book 43 Page 12528 Approved September 26, 1916

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 November 25, 1916 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 March 26, 1917

The whole of said work to be completed on or before September 26, 1917

Beneficial use of water appropriated in accordance herewith, to be made on or before September 26, 1918

Witness my hand this 26th day of September, 1916

J.H. SMITH State Engineer.

Remarks:

15. (a) Is reservoir to be used? No.

Point of use of water for domestic purposes is N. 35° 35' W. 649 feet from portal of Omaha Tunnel.

Proof of completion of works made August 15, 1917.

Certificate of completion of works issued September 21, 1917.

Permit No. 12528.

CERTIFICATE OF COMPLETION OF WORKS

To All Whom It May Concern:

This is to certify that L. H. Hays of Wallace, County of Shoshone, and State of Idaho, the holder of Permit No. 12528, issued upon Application NO. 18019, bearing date of priority of September 18, 1916, authorizing the diversion of 1/10 of 1 second foot of the waters of a small spring, County of Shoshone, State of Idaho, for 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 1/10 of 1 second foot of the waters of a small spring; that the point of diversion of said waters is at a point N. 28° 15' W. 532 ft. from the portal of the Omaha Tunnel, and that the place of use of said waters is the dwelling of the applicant, about 140 feet from the spring.

Witness my hand this 21st day of September, A. D. 1917.

J. H. Smith,

State Engineer of the State of Idaho.

License issued for 1/10 of 1 second foot

Page 2153

October 1, 1917.

Re: Permit No. 12528.

Mr. Albert H. Featherstone, Atty.,
Wallace, Idaho.

Dear Sir:

Enclosing herewith Water License,
issued under above permit.

Very truly yours,

J. H. Smith,

State Engineer.

By

CE/ML

Enc: ML

12528

October 1, 1917.

Re: Permit No. 12528.

Mr. Albert H. Featherstone Atty.,
Wallace, Idaho.

Dear Sir:

Enclosing herewith Certificate of Completion of works, issued under above permit, with receipt for fee.

Very truly yours,

J. H. Smith,

State Engineer.

12

CE/ME

CCW-R:978.

12528

ALBERT H. FEATHERSTONE
Attorney at Law,
WALLACE, IDAHO.

September 4th 1917.

Hon. J.H. Smith

State Engineer

Boise, Idaho.

Dear Sir:-

Enclosed find affidavit of L.H. Hays and check for five dollars to pay fees of your office, the affidavit in question was not received with the other affidavits and hence was not included with the others.

Yours very truly

12528

Permit No. 12528

OFFICE OF STATE ENGINEER

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO,

County of Shoshone } SS.L H Hays, 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. 12528 and that his postoffice address is Sunnah State of Idaho.

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

Small Spring

Third: That the point of diversion of said water is N 28° 15' W 532 feet from
portal of Omaha Tunnel E 71 28° 45' N 425 ft from cor No 3 Sec 16 56
Star Road in SW 1/4 Sec 9 T 48 N R 32 W 30 E

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Sept 26 1917.

Fifth: That the use for which said water is intended is Domestic Purpose

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: bank of wood and 2" pipe 140' in

length

(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam none 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 none feet.

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

(d) Conduit Pipe 2" width at bottom _____ feet, width at water

(State whether ditch, flume or pipe)

line _____ feet, depth of water _____ feet; diameter of pipe 2" inches;

average grade per mile is _____ feet. Length of conduit is 140 feet feet.

Seventh: That said works are capable of conducting to the place of intended use 1/10 second feet of water.

Eighth: That water appropriated under said permit is available for _____ acres of land described as follows: now for irrigation

Ninth: Remarks: That _____

L H Hays

(Sign here)

Subscribed and sworn to before me this 15 day of August, 1917.

Albert H. Robertson

Notary Public.

My commission expires May 20 1918

12528

75

August 1, 1917.

Re: Permit No. 12528 - L. H. Hays.

Mr. A. H. Featherstone,
Attorney at Law,
Wallace, Idaho.

Dear Sir:

Am just in receipt of depositions and affidavit of publication for proof of beneficial use of water under above permit.

In looking over the files, I find that the proof of completion of works was not made, form for which was mailed to you December 9th, 1916. On December 28th, 1916, we wrote you enclosing deposition blanks for final proof, and stated in our letter that the affidavit of holder for proof of completion of works should be filled out and returned with the depositions for final proof.

I am enclosing herewith fresh affidavit form, which should be filled out and returned to this office with statutory fee of \$5.00, together with statement as to why the proof was not made within the time required.

Very truly yours,

J. H. SMITH,

State Engineer.

By _____.

Enc.: F 5 and 6.

12528

ALBERT H. FEATHERSTONE
Attorney at Law,
WALLACE, IDAHO.

July 28, 1917.

J. H. Smith, State Engineer,
Boise, Idaho.

Dear Sir:-

Enclosed herewith find proof of application of water to beneficial use by L. H. Hays; also proof of publication.

The matter got pigeon holed because the publisher did not send the proof at the time the evidence was taken.

Kindly advise me what your fees will be in the matter and I will send you check to cover, and whether or not it will be necessary for an engineer to make an examination and report.

Yours very truly,

AHF-N

Enc-

12528

Proof of Publication

State of Idaho

County of Shoshone

ss.

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

Notice is hereby given that at 10 a. m. on the 3rd day of February, 1917, at Wallace, County of Shoshone, State of Idaho, before A. H. Featherstone, notary public, proof will be submitted of the application to beneficial use of 1-10 of 1 cubic foot per second of the waters of a small spring, in accordance with the terms and conditions of Permit No. 12528, heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is L. H. Hayes, Sunset, Idaho.

2. The use to which said water has been applied is domestic purposes.

3. The amount applied to beneficial use is 1-10 of 1 cubic foot per second.

4. The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) N. 35 degrees 35 minutes W. 649 feet from portal of Omaha Tunnel.

5. The right to take the water from such works is based upon permit No. 12528.

6. The source of supply from which said water is diverted is a small spring.

7. The date of the priority which said user is prepared to establish is September 18, 1916.

J. H. SMITH,
State Engineer.

J4-F1-5t

H. A. McLeod

being first duly sworn, on

his oath deposes and says that he is the manager of THE WALLACE MINER, a weekly

newspaper published at Wallace, Shoshone County, State of Idaho, that said newspaper

has a general circulation in said county, that the Notice of Proof of

Application of water to beneficial use

of which a copy is hereto attached, was first published in said newspaper in its issue

dated the 4th day of January, A. D. 1917, and was

published in each successive issue of said newspaper for the full period of Five

weeks, the last publication thereof being in the issue dated the 1st

February, A. D. 1917.

H. A. McLeod

Subscribed and sworn to before me this 3rd day of February

A. D. 1917.

Thomas McCabe

Notary Public.

12528

PERMIT NO. _____

Proof of Application of Water to Beneficial Use**DEPOSITION OF HOLDER**

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

Ans. L. H. Hays, age forty-two, residence Sunset, Idaho; occupation accountant; postoffice address Sunset, Idaho.

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

Ans. I am not acting in behalf of any corporation.

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

Ans. No. of Permit 12528; date September 18, 1916. September 18, 1916

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

Ans. Small spring. N. 28° 15' W. 532 feet distant from the portal of the Omaha Tunnel and N. 28° 45' W. 420 ft. from Cor. 5 Sur. 16562 Silver Star Road, and is in the SW $\frac{1}{4}$ of Section 9, T. 48 N. R. 5 E. B. M., County of Shoshone, state of Idaho.

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. The works of diversion consist of a tank 4 $\frac{1}{2}$ by 4 $\frac{1}{2}$ feet and three feet high, and a pipe 2 inches in diameter, 140 feet long, to the dwelling house, which is capable of conveying one-tenth of one cubic foot 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 cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. For domestic purposes only, in dwelling 140 feet from point of diversion.

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

Ans. No power generated.

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

Ans. One-tenth of one cubic foot.

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. I am the original applicant.

12528

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

Ans. ~~To the full amount of the water diverted for a long time~~
prior to September 18th 1916

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. Has been used since date of diversion for domestic purposes
as above mentioned.

(Sign)

L H Stays

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, County of

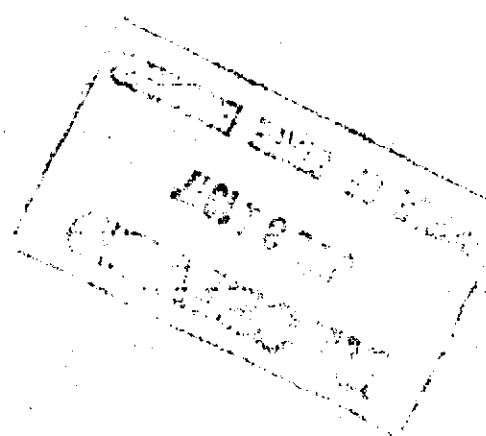
Shoshone

State of Idaho, on this 3rd day of February

A. D. 1917

Albert H. Seachuck
Notary Public

12528



Permit No.

Proof of Application of Water to Beneficial Use**DEPOSITION OF WITNESS**

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

Ans. R. G. Walton; age thirty-seven years; Occupation carpenter;
Postoffice, Sunset, Idaho.

Ques. 2. Are you acquainted with L. E. Hays, the holder of Permit No. 12528? How long have you known him and where does he reside?

Ans. Yes. Twelve years. He resides at Sunset, Idaho.

Ques. 3. Have you read or heard read said Permit No. 12528, 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. Small spring. N. 28° 15' W. 532 feet distant from the portal of
the Omaha Tunnel and N. 28° 45' W. 420 ft. from Cor. 5 Sur.
1656 Silver Lode, and is in the SW $\frac{1}{4}$ of Section 9, T.48 N.R.
5 E.B.M. The works of diversion consist of a tank 4 $\frac{1}{2}$ by 4 $\frac{1}{2}$ feet
and 3 feet high, and a pipe 2 inches in diameter, 140 feet long
to the dwelling house, which is capable of conveying one-tenth
of one cubic foot per second.

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. One-tenth of one cubic foot per second.

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. For domestic purposes only, in dwelling 140 feet from point
of diversion.

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

Ans. No power generated.

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. Not for irrigation purposes

12528

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. To the full amount for a long time prior to September 16, 1916.

(Sign)

H. G. Matten

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 *Shoshone* County of *Idaho*

State of Idaho, on this *3rd* day of *July* A. D. 1917

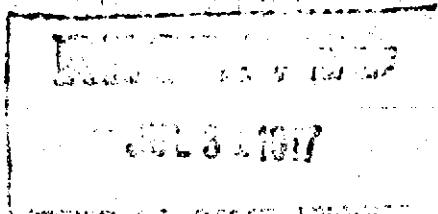
Notary Public.

Albert H. Anderson

My Commission Expires

Aug 20-1918

12528



Permit No.

Proof of Application of Water to Beneficial Use**DEPOSITION OF WITNESS**

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

Ans. Fred Bond. age thirty-seven. Mace, Idaho, Occupation merchant.
Postoffice Mace, Idaho.

Ques. 2. Are you acquainted with L. H. Hays, theholder of Permit No. 12528? How long have you known him and where does he reside?

Ans. Eight years. He resides at Sunset, Idaho.

Ques. 3. Have you read or heard read said Permit No. 12528, 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. Small spring. N. 28° 15' W. 532 feet distant from the portal of the Omaha Tunnel and N. 28° 45' W. 420 ft. from Cor. 5 Sur. 1656 Silver Lode, and is in the SW $\frac{1}{4}$ of Section 9, T.48 N.R. 5 E.D.M. The works of diversion consist of a tank 4 $\frac{1}{2}$ by 4 $\frac{1}{2}$ feet and 3 feet high, and a pipe 2 inches in diameter, 140 feet long to the dwelling house, which is capable of conveying one-tenth of one cubic foot per second.

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. One-tenth of one cubic foot per second.

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. For domestic purposes only. in dwelling 140 feet from point of diversion

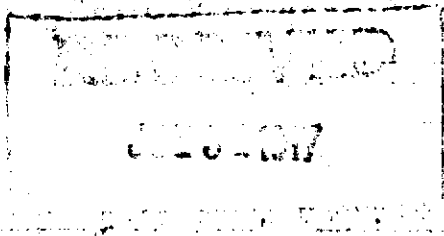
Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. No power generated

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. Not for irrigation purposes.

12528



12528

My Commission Expires

May 20 1918

Notary Public.

Alfred H. Anderson

State of Idaho, on this

3rd

day of

March A. D. 1917

County of

Shoshone

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

Willow

(Sign)

Alfred H. Anderson

Ans. To the full amount for a long time prior to September 16, 1916.

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. No.

and to what extent?

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

April 5th, 1917.

Re Permit 12528. L. H. Hays.

Mr. A. H. Featherstone,
Attorney at law,
Wallace, Idaho.

Dear Sir:—

In looking over the files under the above permit, I find that the affidavit of holder for proof of completion and depositions for final proof under the above permit have never been received here, altho the proof was to be made on February 3rd. If the proof was not made on that date, the holder, with his witnesses, should appear before you on the earliest date possible and fill out the blanks furnished you, and an affidavit should be filed showing why the proof was not made on the date advertised. If the proof was made on February 3rd, the papers should be sent in. We are just in receipt of the report of Mr. R. S. Marriam.

Very truly yours,

A. H. SMITH,

State Engineer.

By _____

12528

REPORT OF ENGINEER

1. State name of applicant and number of permit: 12528
2. State source of water supply: small spring.
3. Location of point of diversion: N. 28° 15' W. 532 ft. from the portal of the
Omaha Tunnel.
4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: Yes.
5. Describe works as they exist, giving dimensions and capacities of same: Tank, 4½' x 4½' x
3 ft. deep, 2" pipe, 140 feet.
6. State whether or not water has been turned into works of diversion: Yes
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation):
8. Submit map on enclosed plat, showing location and details of above description.

Remarks:

This examination was made on the 7th day of February 1917.

(Signed)

J. S. Merriam

Examiner.

(This report must be sworn to when not made by an attache of the State Engineer's office)

STATE OF IDAHO

County of Shoshone

} ss.

E. J. Murrian, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

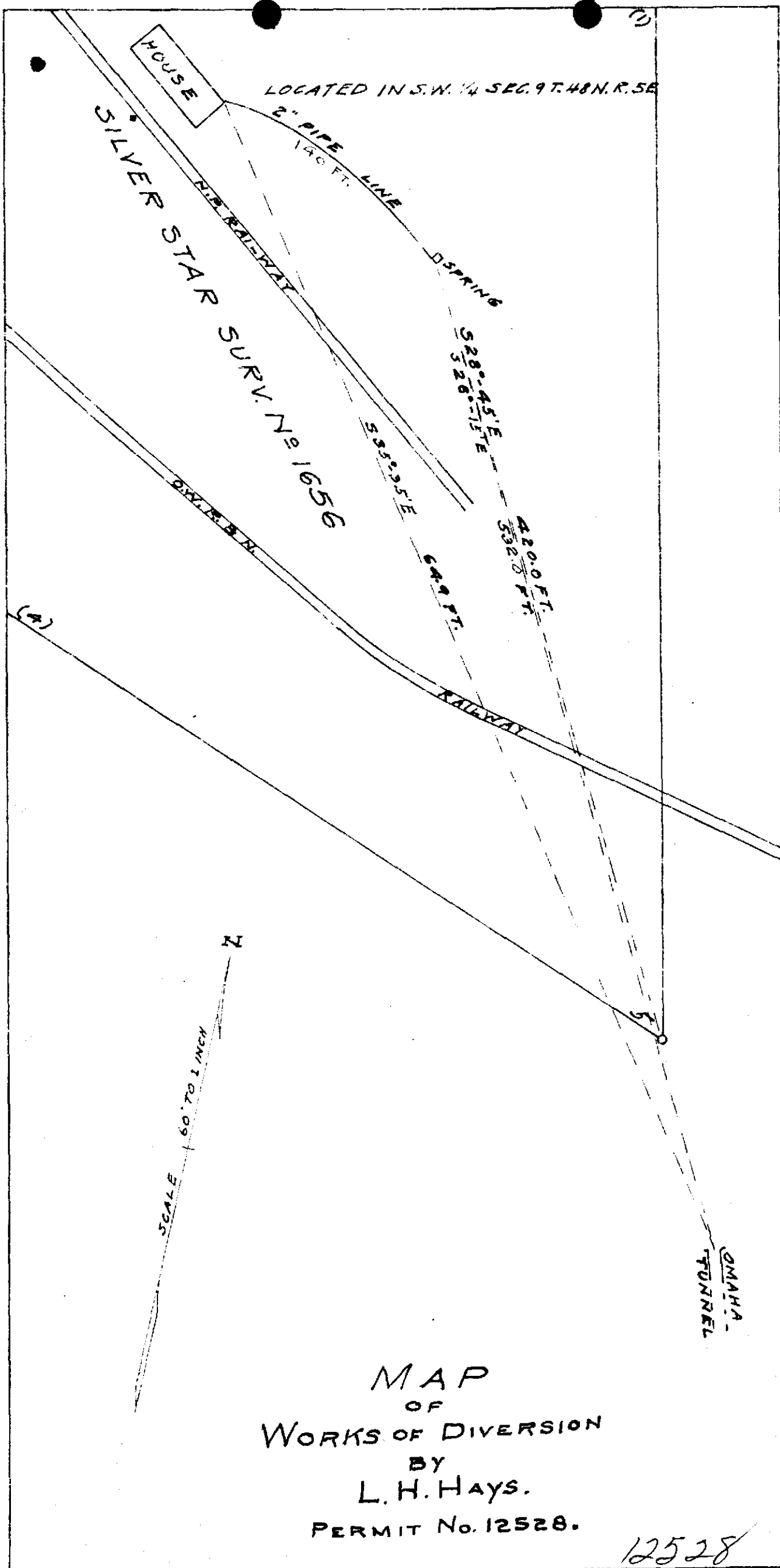
Subscribed and sworn to before me this 2nd day of April 1917

Walter B. Griffith
Notary Public.

My Commission Expires Oct 9, 1919

FOR FILING ONLY

12528



MAP
OF
WORKS OF DIVERSION
BY
L. H. HAYS.
PERMIT No. 12528.

12528

February 10, 1917.

Re Permit No. 12528- L.H.Hays.

Mr. R. S. Merriam,
Wallace, Idaho.

Dear Sir:--

In reply to your letter received today relative to examination under above permit would say that your report should be filed in on the enclosed blank and should be accompanied by a map of the project.

Very truly yours,

J. H. SMITH,

State Engineer.

RMF

By _____

12528

Wallace, Idaho, February 8, 1917.

J.H. Smith, State Engineer,
Boise, Idaho.

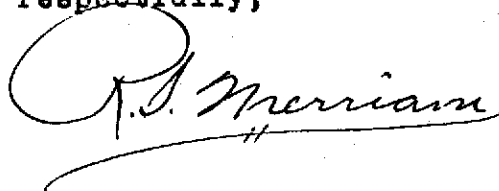
Sir;-

Re Permit No. 12528.

Your notice of January 3rd, 1917, to L.H. Hays, has been handed to me, to examine the works of diversion.

I have examined the works of diversion under this permit and find that the work has been completed as per the terms of the permit.

Very respectfully,

A handwritten signature in cursive script, reading "R. S. Merriam". The signature is written in dark ink and is positioned below the typed name "R. S. Merriam".

12528

STATE OF IDAHO
ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS
PROOF OF BENEFICIAL USE

Mr. L. H. Hays ,
c/o A. H. Featherstone,
Wallace, Idaho.
DEAR SIR:

BOISE, IDAHO, January 18th, 1917.

I enclose herewith the following forms to be used in connection with proof of application of water to beneficial use under your Permit No. 12528.

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 your rights:

1. On ~~February 3rd, 1917~~, the date set for the proof of application of water to beneficial use, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to, at **Wallace, before A.H. Featherstone, N.P.**

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice and fee of \$2.00 for each 40-acre tract, or fraction, to which water has been applied. When these have been received together with report of examining engineer, if everything is properly executed, License will issue.

Yours truly,

J.H. Smith,

State Engineer.

12528

(P. O.)

(Date)

Mallice Ida
Jan 2-1916

State Engineer, Boise.

Dear Sir:

I have your letter of *Dec 28* enclosing Notice of Proof of Beneficial Use of Water under Permit No. *12528* which will be published as you request, beginning with our issue of *Jan 4th 1917*

Mallice Miner
By McCabe

12528

State of Idaho
ENGINEERING DEPARTMENT
BOISE

A. E. ROBINSON
ENGINEER

DIST.No.91-C

Re Permit No. 12528.

January 3rd, 1917.

Mr. L. H. Hays,

Sunset, Idaho.

DEAR SIR:

Before your proof can be accepted, it will be necessary that an examination and report be made to this office concerning the same. This examination preferably should be made by an engineer, but in the event that one cannot be secured, the report of any other person competent to determine the capacity of the works, and the area irrigated, will be satisfactory.

Will you, therefore, advise this office whom you wish to be instructed to make this examination for you?

Very truly yours,

J.H. SMITH, ~~A. E. ROBINSON~~

State Engineer.

12528

December 28th, 1916.

Re Permit 12528- L. H. Hays.

A. H. Featherstone, Attorney,
Wallace, Idaho.

Dear Sir:--

Your letter of the 20th inst., enclosing notices for final proof under above permit, was duly received. Notice for publication will be mailed to the Wallace Miner, as per applicants request.

Deposition blanks are herewith enclosed, also, certified copy of the permit, for which please to remit \$1.00.

The affidavit of holder for proof of completion of works, mailed you on the 9th inst., should be filled out and returned with the depositions for final proof.

Very truly yours,

J. H. SMITH,

State Engineer.

CC-

By _____

12528

ALBERT H. FEATHERSTONE
Attorney at Law.
WALLACE, IDAHO.

Dec. 20, 1916.

Mr. J. H. Smith, State Engineer,

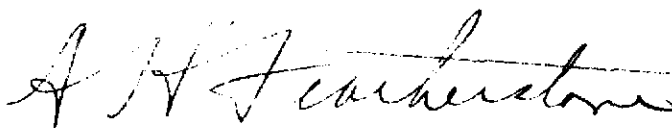
Boise, Idaho.

Dear Sir:

Enclosed find notice for publication of proof of water for beneficial use under permit of L. H. Hayes issued recently. This permit has been mislaid when moving our offices recently and I am not able to find it at this time. If you will kindly fill in the blank from the records of your office and send me a certified copy of the original application, together with your bill for the same, I will send you check to cover.

My client desires to have the notice published in the Wallace Miner of Wallace, Idaho.

Yours very truly,



AHF/S

Encl.

12528

12528

NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 10 a. m. on the 3rd day of February, 1917,
 at at Wallace, County of Shoshone, State of Idaho,
 before A. H. Featherstone, Notary Public, proof will be submitted
 of the application to beneficial use of 1/10 of 1 cubic ~~foot~~ per second of the
 waters of a small spring, in accordance with the terms and conditions of
 Permit No. 12528, heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are
L. H. Hayes, Sunset, Idaho.

2. The use to which said water has been applied is domestic purposes

3. The amount applied to beneficial use is 1/10 of 1 ~~xxx~~ cubic foot per second.

4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) N. 25° 35' W. 649 feet from portal of Omaha Tunnel.

~~5. The name of the canal or ditch or other works by which said water is conducted to such place of use is~~

5. The right to take the water from such works is based upon Permit No. _____

6. The source of supply from which such water is diverted is a small spring

8. The date of the priority which said user is prepared to establish is Sept. 18, 1916.

J. H. Smith,

State Engineer.

12528

December 9th, 1916.

Re Permit 12528- L. H. Hayes.

Mr. A. H. Featherstone,
Attorney at law,
Wallace, Idaho.

Dear Sir:--

Per your request the 6th inst., I am enclosing herewith blanks for proof of completion of works and beneficial use of water under above permit.

Very truly yours,

J. H. Smith,

State Engineer.

F5-6-2F10

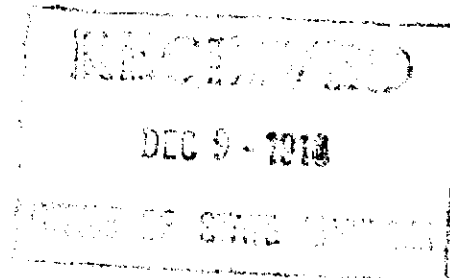
By _____

12528

ALBERT H. FEATHERSTONE
Attorney at Law,
WALLACE, IDAHO.

Dec. 6, 1916.

Mr. J. H. Smith,
State Engineer,
Boise, Idaho.



Dear Sir:

Mr. L. H. Hayes of Wallace, Idaho, wishes to make proof of completion of works and proof of application for water for beneficial use under permit No. 12528. He wish to publish the notices in the Wallace Miner at Wallace, Idaho. Kindly send necessary blanks for making such publication and proof, and oblige

Yours very truly,

AHF/S

12528

State of Idaho
ENGINEERING DEPARTMENT
BOISE

Permit No. 12528- Hays.

Boise, Idaho, .

Sept. 26, 1916.

Mr. A.H. Featherstone,
Wallace, Idaho.

Dear Sir:

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

J.H. Smith.

State Engineer.

12528

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ALBERT H. FEATHERSTONE
Attorney at Law,
WALLACE, IDAHO.

OK 2579
T/10

Sept. 15, 1916.

18019

Mr. J. H. Smith, State Engineer,
Boise, Idaho.

Dear Sir:

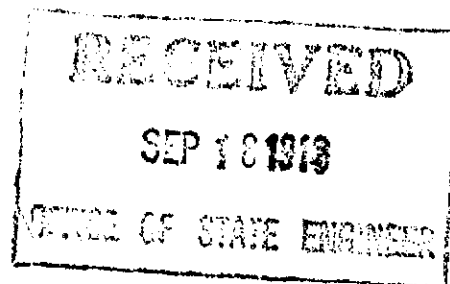
Enclosed find application of L. H. Hayes
for permit to appropriate water; also check for
\$1.10 to cover fees of your office.

Yours very truly,

Albert H. Featherstone

AHF/S

Encl.1



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