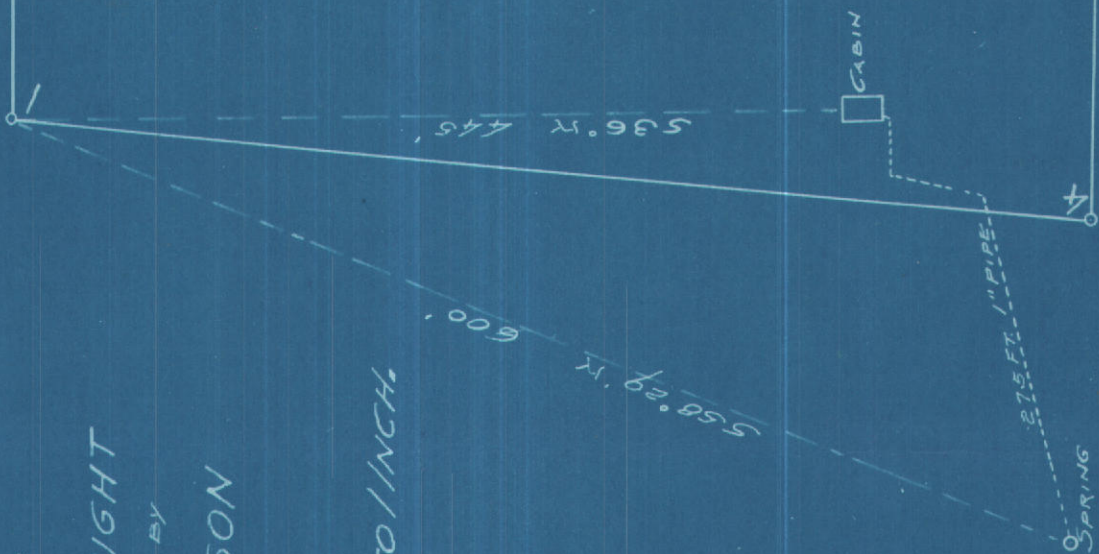


MAP
OF
WATER RIGHT
APPLIED FOR BY
J.F. GILSON

SCALE
100 FEET TO 1 INCH.

SE $\frac{1}{4}$ NW $\frac{1}{4}$
SEC. 34
Twp. 48 N. R. 4 E. B.M.



BERTHA LODGE

SUR. NO. 1643



MAP

SHOWING WORKS OF DIVERSION
UNDER

PERMIT No 9354

SCALE

100 FEET TO 1 INCH.

BERTHA LODGE

SUR. NO. 1643

CABIN

SE. $\frac{1}{4}$ - NW $\frac{1}{4}$
SEC. 34
Twp. 40 N. R. 4 E. B.M.

SPRING

275 FT. 1" PIPE

550' 29" R.

600'

536' 11" 445'

2

9354

County: Shoshone
Stream: Spring
Amount: 3/100 sec.ft.
Use: Domestic
Priority: 11-2-13

STATE OF IDAHO

Water License No. 9354

WHEREAS, On the 6th day of May, A. D. 1913 J. F. Gilson,

of Wallace, County of Shoshone, State of Idaho, duly made application (No. 14035) to me for a permit to use 3/100 of 1 cubic foot per second of the waters of an unnamed spring,

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

WHEREAS, On the 16th day of June, A. D. 1913, Permit No. 9354 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 16th day of June, A. D. 1914, and for the application to beneficial use of said water on or before the 16th day of June, A. D. 1914, and,

WHEREAS, On the 10th day of December A. D. 1914, Mary Dols, for and on behalf of all the heirs of the estate of J. F. Gilson, (deceased),

the holder of said permit, duly made proof of the completion of adequate works for the diversion of 3/100 of 1 cubic foot per second of said waters, as evidenced by my Certificate No. 9354, dated April 10, 1915, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 3/100 of 1 cubic foot per second of said water, with date of priority of May 6, 1913, and

WHEREAS, On the 10th day of December A. D. 1914, Mary Dols, for and on behalf of all the heirs of the estate of J. F. Gilson, (deceased),

the holder of said permit, duly made proof of the application to beneficial use of 3/100 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

Mary Dols, for and on behalf of all the heirs of the estate of J. F. Gilson (deceased), of Wallace, County of Shoshone, State of Idaho, the holder and owner of said Permit No. 9354, a perpetual right, dating from November 2, 1913, to the use of 3/100 of 1 cubic foot per second of the waters of an unnamed 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 S. 58° 29' W. 600ft. from Cor. No. 1, Bertha Lode, Survey No. 1643,

~~And construction to said water~~

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 or 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 10th day of April, A. D. nineteen hundred and fifteen. J. H. Smith,

(Seal)

State Engineer:

94-2078

No. 14035.

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: J. F. Gilson,

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 0.03 (3/100) cubic feet per second.

3. Source of water supply: Unnamed Spring.

4. Location of point of diversion: S. 58° 29' W. 600 feet from Cor. No. 1 Bertha Lode, Sur. No. 1643, in SE $\frac{1}{4}$, NW $\frac{1}{4}$ Sec. 34, Twp. 48 N., R. 4 E. B. M.

County of Shoshone

5. To be used for: Domestic purposes.

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?
return:

(d) If so, name stream and locate point of

6. Estimated cost of works: \$ 100 .00

7. Description of works for diversion:

I. Kind of works: Headbox (barrel), 275 feet 1" 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 acre feet. [c] Size of headgate, width feet,

Height feet. (d) Conduit 1" pipe width at bottom feet,

width at water line feet, depth of water feet, diameter of pipe

one inches; average grade per mile is feet. Length of conduit is 275 feet ~~times~~
and it crosses the following quarter sections: NW $\frac{1}{4}$ Sec. 34, Twp. 48 N., R. 4 E.B.M.

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 none
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.

J.F. Gilson, Applicant.

By R.S. Merriam, Agent.

Date of first receipt at office of State Engineer 9.00 A.M. May 6, 1913.
 Returned to applicant for correction May 8, 1913.
 Corrected application received May 22, 1913.

APPROVAL OF STATE ENGINEER.

The number of this permit is 9354
 Recorded in Book 31 Page 9354 Approved June 16, 1913.
 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 August 15, 1913, 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 December 16, 1913.
 The whole of said work to be completed on or before June 16, 1914.
 Beneficial use of water appropriated in accordance herewith, to be made on or before June 16, 1914.

Witness my hand this 16th day of June, 1913.

F.P.King,
 State Engineer.

Remarks:

This spring, the waters of which are to be appropriated by this permit, is upon Government land.

Permit No. 9354

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:

This is to certify that Mary Dols, for and on behalf of all the heirs of the estate of J. F. Gilson, (deceased), of Wallace, County of Shoshone and State of Idaho, the holder of Permit No. 9354, issued upon Application No. 14035, bearing date of priority of May 6th, 1913, authorizing the diversion of 3/100 of 1 second foot of the waters of an unnamed 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 3/100 of 1 second foot of the waters of an unnamed spring; that the point of diversion of said waters is S. 58° 29' W. 600 ft. from Cor. No. 1, Bertha Lode, Survey No. 1643.

Witness my hand this 10th day of April, A. D. 1915.

J. H. Smith,
 State Engineer of the State of Idaho.

License issued for 3/100 second foot.

Page 1797

April 13, 1915.

Permit 9354. Gilson Estate.

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

Sir:

Am enclosing herewith the certificate and
license issued under above permit, with receipts
for fees paid.

Very truly yours,

J. H. SMITH,

State Engineer.

C&L-R7314-15

^D
y _____

9354

Instrument Number 34972.

Know All Men By These Presents, That I, Michael A.

Gilson-----of ----Winthrop, Iowa ----- have made ,
constituted and appointed, and by these presents do make, constitute
and appoint Mary Dols , of Dixon, Montana , my true and lawful attorney
for me, as one of the next of kin and heirs at law of James F. Gilson,
deceased, late of the County of Shoshone, and State of Idaho, and in
my name, place and stead, and for my use and benefit, to ask, demand,
sue for , recover, collect and receive all such sums of money , debts,
dues, accounts, legacies , bequests, interests, dividends , and
demands, whatsoever, as are now, or shall hereafter become due, owing,
payable or belonging to me, out of the estate of the said James F.
Gilson, deceased, and have, use and take all lawful ways or means
in my name , or otherwise, for the recovery thereof, and to receipt
for the same; to bargain , contract, agree for, purchase, receive
and take lands, tenements , hereditaments, and accept the possession
of all lands and all deeds and other necessary assurances, and to
lease, bargain, sell and convey any of the lands , tenements and
hereditaments belonging to such estate upon such terms and conditions
as she shall think fit. Also, to bargain, agree for, buy, sell,
hypothecate, and in any and every way and manner deal in and with all
notes, demands, securities and choses in action, and other properties
of the said estate in possession or in action , and to make, do and
transact all and every kind of business, of whatever nature or kind,
and also , for me and in my name, and as my act and deed , to sign ,
seal, execute and deliver and acknowledge such deeds, assignments,
covenants , agreements , mortgages , bills, bonds, notes, receipts ,
evidence of debt, judgments and other debts , and such other instru-
ments in writing , of whatsoever kind and nature, as may be necessary
or proper in the premises.

I.-

Giving and granting unto my said attorney, full power and authority to do and perform all and every act and thing, whatever, requisite and necessary, to be done in and about the premises, as fully to all intents and purposes as I might or could do, if personally, present, hereby ratifying and confirming all that my said attorney, the said Mary Dols, shall lawfully do or cause to be done by virtue of these presents.

In Witness Whereof, I have hereunto set my hand and seal the 4th day of September, A.D. 1914.

(SIGNED) Michael A. Gilson. (Seal.)

Signed, sealed and delivered in the presence of,

(SIGNED) Chas. E. Miller.
J. H. Wixom

State of Idaho, :
County of Shoshone. : SS

On this 4th day of September, A.D. 1914, before me
J.H.Wixom a
Notary Public in and for said County, personally appeared
Michael A.Gilson, known to me to be the person
whose name is subscribed to the within instrument and acknowledged
to me that he executed the same.

In Witness Whereof, I have hereunto set my hand and affixed
my official seal, the day and year in this certificate first above
written.

Notarial

(Seal)

(Signed) J.H.Wixom

J.H.Wixom
Notary-Public.
Shoshone-County, Idaho.

Notary Public.

Recorded at the request of Mary Dols, September 29th, 1914, at 3 o'clock
P.M. John P. Sheehy, County Recorder, By Elmer Johnson, Deputy.

STATE OF IDAHO, }
County of Shoshone, } ss.

I, JOHN P. SHEEHY, County Recorder in and for the County
of Shoshone, State of Idaho, do hereby certify the foregoing to be a full, true and correct copy of
...POWER OF ATTORNEY - Michael A. Gilson to Mary Dols.....
as the original instrument appears upon the records of said County, in Book....."G".....
of Powers of Attorney.....at page...155...thereof at my
office and in my custody.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix my official seal this..29th..
day of.....December.....A. D. 1914..



John P. Sheehy
County Recorder.
[Signature]
Deputy.

Instrument Number 34936.

Know All Men By These Presents, That I, Sarah A. Clark

-----of-----Yankton, South Dakota -----

have made ,

constituted and appointed, and by these presents do make, constitute and appoint Mary Dols , of Dixon, Montana , my true and lawful attorney for me, as one of the next of kin and heirs at law of James F. Gilson, deceased, late of the County of Shoshone, and State of Idaho, and in my name, place and stead, and for my use and benefit, to ask, demand, sue for , recover, collect and receive all such sums of money , debts, dues, accounts, legacies , bequests, interests, dividends , and demands, whatsoever, as are now, or shall hereafter become due, owing, payable or belonging to me, out of the estate of the said James F. Gilson, deceased, and have, use and take all lawful ways or means in my name , or otherwise, for the recovery thereof, and to receipt for the same; to bargain , contract, agree for, purchase, receive and take lands, tenements , hereditaments, and accept the possession of all lands and all deeds and other necessary assurances, and to lease, bargain, sell and convey any of the lands , tenements and hereditaments belonging to such estate upon such terms and conditions as she shall think fit. Also, to bargain, agree for, buy, sell, hypothecate, and in any and every way and manner deal in and with all notes, demands, securities and choses in action, and other properties of the said estate in possession or in action , and to make, do and transact all and every kind of business, of whatever nature or kind, and also , for me and in my name, and as my act and deed , to sign , seal, execute and deliver and acknowledge such deeds, assignments, covenants , agreements , mortgages , bills, bonds, notes, receipts , evidence of debt, judgments and other debts , and such other instruments in writing , of whatsoever kind and nature, as may be necessary or proper in the premises.

Giving and granting unto my said attorney, full power and authority to do and perform all and every act and thing, whatever, requisite and necessary, to be done in and about the premises, as fully to all intents and purposes as I might or could do, if personally, present, hereby ratifying and confirming all that my said attorney, the said Mary Dols, shall lawfully do or cause to be done by virtue of these presents.

In Witness Whereof, I have hereunto set my hand and seal the 4th day of September, A.D. 1914.

(Signed) Sarah A. Clark (Seal.)

Signed, sealed and delivered
in the presence of,

(Signed) J.N. Clark
Agnes Romo

STATE OF IDAHO, }
County of Shoshone, } ss.

I, JOHN P. SHEEHY, County Recorder in and for the County
of Shoshone, State of Idaho, do hereby certify the foregoing to be a full, true and correct copy of
..... POWER OF ATTORNEY - Sarah A Clark to Mary Dols
as the original instrument appears upon the records of said County, in Book..... "G".....
of Powers of Attorney at page. 151 thereof at my
office and in my custody.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix my official seal this.... 29TH.
day of..... December..... A. D. 1914.



John P. Sheehy
County Recorder.

RN

Deputy.

Instrument Number 34973.

Know All Men By These Presents, That I, Thomas J. Gilson

of--- Montpelier, North Dakota ---

have made ,

constituted and appointed, and by these presents do make, constitute and appoint Mary Dols , of Dixon, Montana , my true and lawful attorney for me, as one of the next of kin and heirs at law of James F. Gilson, deceased, late of the County of Shoshone, and State of Idaho, and in my name, place and stead, and for my use and benefit, to ask, demand, sue for , recover, collect and receive all such sums of money , debts, dues, accounts, legacies , bequests, interests, dividends , and demands, whatsoever, as are now, or shall hereafter become due, owing, payable or belonging to me, out of the estate of the said James F. Gilson, deceased, and have, use and take all lawful ways or means in my name , or otherwise, for the recovery thereof, and to receipt for the same; to bargain , contract, agree for, purchase, receive and take lands, tenements , hereditaments, and accept the possession of all lands and all deeds and other necessary assurances, and to lease, bargain, sell and convey any of the lands , tenements and hereditaments belonging to such estate upon such terms and conditions as she shall think fit. Also, to bargain, agree for, buy, sell, hypothecate, and in any and every way and manner deal in and with all notes, demands, securities and choses in action, and other property of the said estate in possession or in action , and to make, do and transact all and every kind of business, of whatever nature or kind, and also , for me and in my name, and as my act and deed , to sign , seal, execute and deliver and acknowledge such deeds, assignments, covenants , agreements , mortgages , bills, bonds, notes, receipts , evidence of debt, judgments and other debts , and such other instruments in writing , of whatsoever kind and nature, as may be necessary or proper in the premises.

Giving and granting unto my said attorney, full power and authority to do and perform all and every act and thing, whatever, requisite and necessary, to be done in and about the premises, as fully to all intents and purposes as I might or could do, if personally, present, hereby ratifying and confirming all that my said attorney, the said Mary Dols, shall lawfully do or cause to be done by virtue of these presents.

In Witness Whereof, I have hereunto set my hand and seal the 4th day of September, A.D.1914.

(~~Seal~~) Thomas J. Gilson. (Seal.)

Signed, sealed and delivered
in the presence of,

(~~Signature~~) E.G. Bloodow
R.A. Werner

State of North Dakota, :
County of LaMoure. : SS
:

On this 10th day of September, A.D. 1914, before me
E.G. Bloedow - - - a ---
Notary Public in and for said County, personally appeared, ---
Thomas J. Gilson, known to me to be the person
whose name is subscribed to the within instrument and acknowledged
to me that he executed the same.

In Witness Whereof, I have hereunto set my hand and affixed
my official seal, the day and year in this certificate first above
written.

(Notarial Seal)

(Signed) E.G. Bloedow.

~~E.G. Bloedow.~~
~~Notary Public~~
~~State of North Dakota~~

Notary Public LaMoure Co. N.D.
My Commission expires Oct. 16th 1914

Recorded at the request of Mary Dols September 29th, 1914 at 3
o'clock, P.M. John P. Sheehy, County Recorder, By Elmer Johnson,
Deputy.

STATE OF IDAHO, }
County of Shoshone, } ss.

I, JOHN P. SHEEHY, County Recorder in and for the County
of Shoshone, State of Idaho, do hereby certify the foregoing to be a full, true and correct copy of
..... POWER OF ATTORNEY - Thomas J Gilson to Mary Dols
as the original instrument appears upon the records of said County, in Book..... "G".....
of Powers of Attorney at page. 156 ... thereof at my
office and in my custody.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix my official seal this... 29th...
day of..... December A. D. 1914.



John P. Sheehy
.....
County Recorder.
[Signature]
.....
Deputy.

CHAS. F. O. MERRIAM

R. S. MERRIAM

Merriam & Merriam

MINING ENGINEERS

*25 Merriam
Check # 1667
\$5.00*

WALLACE, IDAHO, March 15, 1915.

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

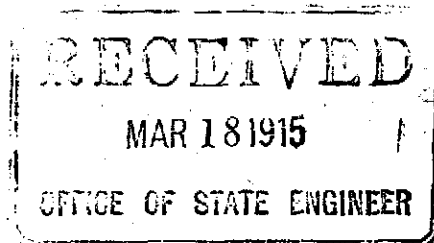
Sir;-

Replying to your favor of the 12th inst., in re Permit No. 9354, I am sending you herewith my report on said permit, together with affidavit of proof of publication, check for \$5, filing fee, and certified copies of powers of attorney from the various heirs of the Gilson estate to Mary Dols to act for them. I believe that is all the papers that are lacking for winding up this permit.

Kindly pardon the delay in this matter. I have been out of town a great deal during the last three or four months and in my absence the matter was overlooked.

Very respectfully,

R. S. Merriam



9354

REPORT OF ENGINEER

1. State name of applicant and number of permit: J.F.Gilson, Permit # 9354.
2. State source of water supply: Unnamed spring.
3. Location of point of diversion: S. 58° 29' W. 600 feet from Cor. No. 1, Bertha Lode,
Survey No. 1643.
4. State whether or not the works of diversion are *fully* completed and in accordance with terms of permit:
Works of diversion are fully completed in accordance with the terms
of the permit.
5. Describe works as they exist, giving dimensions of same as follows:
 - (a) Width of conduit at bottom: Works of diversion consist of a headbox
 - (b) Width at water line: (barrel), and 275 feet of one inch pipe.
 - (c) Depth of water: _____
 - (d) Grade per mile: _____
 - (e) Capacity of ditch: _____ second feet.
6. State whether or not water has been turned into works of diversion and if so, to what extent: _____
Water has been turned into the works of diversion to the full extent
of the permit.
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each
forty acre tract: _____

8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross
hatch lands to be irrigated.

Remarks: _____

R.S. Merriam.

STATE OF IDAHO,

County of Shoshone } ss.

R.S. Merriam., 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 29th day of December 1914

My Commission Expires _____

9354

Notary Public

Notary Public
of the State of Idaho, in and for Shoshone County.

March 12, 1915.

Permit 9354- Estate of J.F.Gilson.

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

Sir:

On December 14th a letter was sent to you from this office enclosing report and map forms and authorizing you to make the examination for final proof under the above permit but your report has never been received here. As this proof cannot be closed until the report is in we would be very glad to have the examination made as soon as possible.

Very truly yours,

J. H. SMITH,

State Engineer.

By _____

9354

December 14, 1914.

Permit 9354. Galson

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

Sir:

We are today in receipt of your letter of the 10th inst., enclosing affidavit of holder for proof of completion of works, together with depositions for final proof under above permit, also, check in the sum of \$5.00. In regard to fees would say that the fee for each proof will be \$5.00, making a total of \$10.00.

Am enclosing herewith report and map form and authorize you to make the examination and report. A certified copy of the Power of Attorney should be filed in order that no question may arise later. There also remains to be filed the affidavit of publication.

Very truly yours,

Herbert Wing,

Acting State Engineer.

RMP

By _____

9354

Merriam & Merriam

MINING ENGINEERS

Wallace, Idaho December 10, 1914.

Herbert Wing,
Acting State Engineer,
Boise, Idaho.

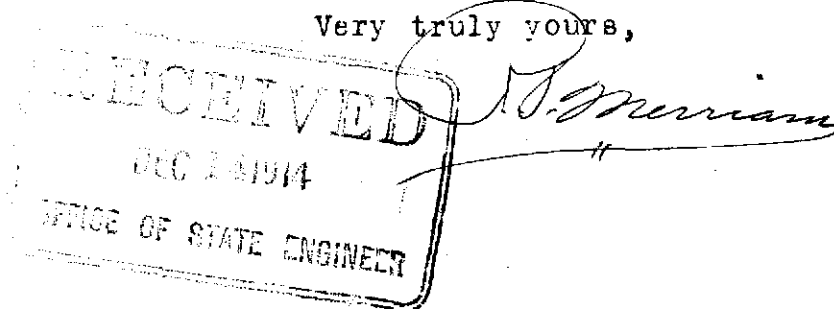
Sir;-

I am sending you herewith papers in connection with final proof of the works of diversion and of the beneficial use of water under Permit No. 9354.

You will notice that the affidavits for the holder of the permit to fill out are signed by Mary Dols. In taking the matter up with the Probate Judge, I found that there has been no administrator of the estate appointed. Mrs. Dols is a sister of the late Mr. Gilson, and has powers of attorney from all the rest of the heirs of the estate and is acting for them in this case. If necessary, Mrs. Dols can furnish you with certified copies of these powers of attorney.

Enclosed also please find my check for \$ 5.00, final fee on this permit. Kindly send the papers to me as I have been asked to look after this matter.

Very truly yours,



9354

9354

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 10th day of December, 1914, at Wallace, County of Shoshone, State of Idaho, before L. L. Leighty, proof will be submitted of the application to beneficial use of 0.03 cubic feet per second of the waters of unnamed spring, in accordance with the terms and conditions of Permit No. 9354 heretofore issued by the State Engineer of the State of Idaho.

The name and postoffice address of the person holding said permit are Louis Dohls, administrator of the estate of J. F. Gilson, (deceased), Wallace, Idaho.

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

3. The amount applied to beneficial use is 0.03 cubic feet per second.

4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated S. E. $\frac{1}{4}$, N. W. $\frac{1}{4}$, Sec. 34, Twp. 43 N., R. 4, E. B. M.

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

6. The right to take the water from such works is based upon Permit No. 9354.

7. The source of supply from which such water is diverted is unnamed spring.

8. The date of the priority which said user is prepared to establish is Nov. 2, 1913.

HERBERT WING,
Acting State Engineer.

Nov. 13-20-27-Dec. 4

R. H. Stevenson

being first duly sworn, deposes

and says that he is the *Manager* of the Press-Times Publishing

Company, publishers of the Weekly Press-Times, a weekly newspaper published at

Wallace, County of Shoshone, State of Idaho, and which has been published for more

than 52 consecutive weeks immediately preceding the date of the first publication

the attached notice; that the *Notice for Publication*

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

issue dated the *13th* day of *November* A. D. 19*14*

and was published each succeeding issue of said newspaper for the full period of

(4) Four weeks, the last publication thereof being in the issue dated the

4th day of *December* A. D. 19*14*

Subscribed and sworn to before me this *18th* day of *December*

A. D. 19*14*

Mayb K. K.

Notary Public.

PERMIT No. 9354

Proof of Application of Water to Beneficial Use

DEPOSITION OF HOLDER

RECEIVED

DEC 1 1914

STATE ENGINEER

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

Ans. Mary Dols, 48 years, residence, Spokane, Wash., housekeeper

P.O. address 92604 Madelia, Minn.

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.

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

Ans. Permit No. 9354, June 16, 1913. Date of priority, Nov. 2, 1913.

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

Ans. Source, unnamed spring. Point of diversion, S. 58° 29' W. 600 feet

from Cor. No. 1, Bertha lode, Sur. No. 1643, in SE $\frac{1}{4}$, NW $\frac{1}{4}$, Sec. 34, Twp. 48N., R. 4 E.B.M.

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. Headbox (barrel), and 275 feet 1" pipe, capable of carrying

0.03 second feet.

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. Water used for domestic purposes.

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

Ans.

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

Ans. 0.03 second feet.

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

Ans. I am one of the heirs of the estate of J. F. Gilson, deceased, and am acting for, and in behalf of, all the heirs of said estate.

9354

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

Ans. Water has been used continuously for the past year to the full extent of the permit.

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. None.

(Sign) Mary Dols

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Wallace, County of Shoshone, State of Idaho, on this 10th day of December A. D. 1914.

L. Laight
Notary Public

Permit No. 9354.....

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

DEC 14 1914

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

Ans. *A. McKinley - 53 - Wallace, Idaho - Chief of Police**in City of Wallace - Wallace, Idaho*Ques. 2. ~~Are~~ you acquainted with *J. F. Gilson*, theholder of Permit No. 9354 *Yes*? How long have you known him and where does he reside?Ans. *Known J. F. Gilson over seven years - resided in Wallace, Idaho.*

Ques. 3. Have you read or heard read said Permit No. 9354....., 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. *an unnamed spring in SE¹, NW¹, Sec. 34, T. 48N., R. 4 E.B.M.**Works of diversion, a headbox (barrel) and 275 feet 1" 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. *0.03 second feet.*

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 purposes.*

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

Ans. */ / / / /*

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. */ / / / /*

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. *Witnessed application of water to beneficial use
many times in the last year - being a man
rougher and facing the property frequently.*

A. McShinley (Sign)

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 *Thompson*

State of Idaho, on this *16th* day of *December* A. D. 19*14*

Notary Public.

My Commission Expires *January 16th* 19*15*

9354

Permit No. 9354

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. Mike Plattery, 53, Residence Challau Idaho, Occupation

DEC 14 1914

prospector, P.O. address Challau Idaho

Ques. 2. Are you acquainted with J. F. Gulson, the

holder of Permit No. 9354 - Yes How long have you known him and where does he reside?

Ans. Knew him for thirty years - resided in Challau, Idaho

Ques. 3. Have you read or heard read said Permit No. 9354, 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. Source, an unnamed spring in SE¹, NW¹, Sec. 34, T. 48N., R. 4 E. B. M.

Works of diversion, headbox (barrel) and 275 feet 1" 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. 0.03 second feet.

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 purposes.

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

Ans.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans.

9354

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. The said to install the water diversion, and

has witnessed the use of water by him in the form
a great many times during the last year.

(Sign)

Mike O'Sullivan

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 *Thompson*

State of Idaho, on this *fourth* day of *December* A. D. 1914

Notary Public.

E. E. Knight

My Commission Expires *January 16th 1915*

Permit No. 9354

OFFICE OF STATE ENGINEER

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

RECEIVED

DEC 1 1914

OFFICE OF STATE ENGINEER

STATE OF IDAHO

County of Idaho

ss.

Mary Dolp being first duly sworn upon her oath deposes and says:
 First: That she is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho,
 No. 9354 and that her postoffice address is Spokane (2604 Madelia Street)
 State of Washington

Second: That under the terms and conditions of said permit, construction thereunder was required to be completed by June 16, 1914.

Third: That the use for which said water is intended is Domestic purposes.

Fourth: 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: Headbox (barrel), 275 feet 1" pipe.
 (Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:

(a) Height of dam no dam feet, length of dam at top _____ feet, length of dam at bottom _____ feet. Material used in construction _____

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

(b) Capacity of reservoir X acre feet.

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

(d) Conduit 1" pipe width at bottom X feet, width at water line X feet, depth of water X feet; diameter of pipe one inches;

average grade per mile is _____ feet. Length of conduit is 275 feet miles.

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

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

Seventh. Remarks: That the works of diversion were completed before
the date specified in the permit, June 16, 1914.

Subscribed and sworn to before me this 10th day of December 1914

My commission expires January 16th 1915

Mary Dolp
 (Sign here)

L. Laight
 Notary Public.

9354

STATE OF IDAHO
ENGINEERING DEPARTMENT

F. P. KING,
STATE ENGINEER

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE

Louis Dohls, Admsn. of Est. J.F. Gilson,
c/o L. L. Leighty,
Wallace, Idaho.

BOISE, IDAHO, Dec. 3, 1924.

DEAR SIR:

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

9354.
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 December 10th, 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 L.L. Leighty, W.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,

F. P. KING,
Herbert Wing, ~~xxx~~ State Engineer.
Acting

935

(P. O.) Wallace, Ida.

(Date) Nov. 9, 1914.

State Engineer, Boise.

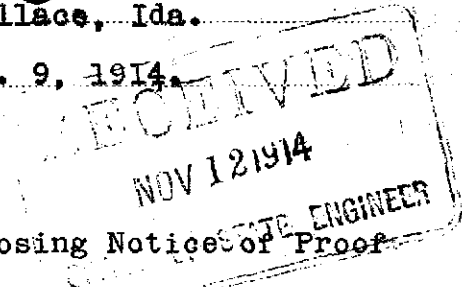
Dear Sir:

I have your letter of Nov. 5, 1914. enclosing Notice of Proof
of Beneficial Use of Water under Permit No. 9354 which will be published
as you request, beginning with our issue of Nov. 13, 1914.

Press Times Pub. Co.

R. J. S.

9354



100-510
October 21, 1914.

Permit 9354.

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

Sir:

Am in receipt of your letter, returning notices for final proof under above permit. In reply would say that the date of priority was brought down because proof is being made six months later than the date specified in the permit. Under separate cover I am today mailing you a copy of the land and irrigation laws of the State, upon page 133 of which you will find the provision relating to final proof.

The notice for publication will be mailed to the Wallace Press-Times in time for the required four weeks publication prior to December 10th and deposition blanks will be mailed to L. L. Leighty.

Am herewith enclosing you blank for report and map.

Very truly yours,

Herbert Wing,

Acting State Engineer.

RMF-SOLIL

By _____

9354

Merriam & Merriam

MINING ENGINEERS

Wallace, Idaho October 19, 1914.

Mr. Herbert Wing,
Deputy State Engineer,
Boise, Idaho.

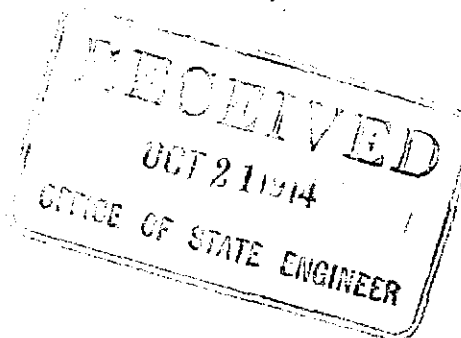
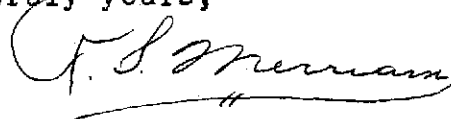
Sir;-

I am returning herewith papers in re Permit No. 9354, with correction made as per your favor of the 14th inst.

I do not understand why the date of priority to be established has been changed from May 6, 1913, to Nov. 2, 1913.

Your favor of the 13th inst., with papers in re Permit No. 7181, is at hand and papers will be attended to as soon as possible.

Very truly yours,

**9354**

- NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) Wallace, Idaho.

(P. O.) October 9, 1914.

To the State Engineer,

Boise, Idaho.

Dear Sir:

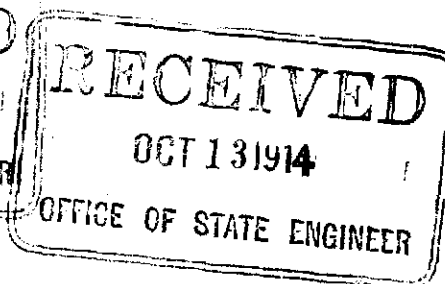
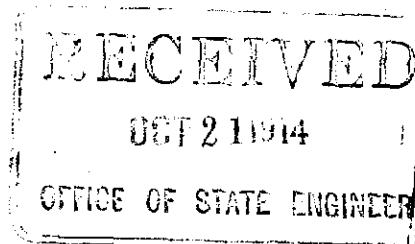
You are hereby authorized to have the attached notice published at my expense in the Weekly Press-Times, of Wallace, Idaho., published in the county in which the works are situated.

S. J. Merriam

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well known and competent engineer.)

I hereby certify that the facts set forth in the attached notice are true.

Engineer.



9354

NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 10 a. m. on the 10th day of December, 1914,
 at Wallace, County of Shoshone, State of Idaho,
 before L.L.Leighty, proof will be submitted
 of the application to beneficial use of 0.03 cubic feet per second of the waters of
unnamed spring, in accordance with the terms and conditions of Permit No. 9354
 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.....

Louis Dehle, ~~Wallace, Idaho~~ Administrator of the Estate of J. F. Gilson,
Wallace, Idaho. (deceased).

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

Domestic purposes

3. The amount applied to beneficial use is 0.03 cubic feet per second.

4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated)

S.E. $\frac{1}{4}$, N.W. $\frac{1}{4}$, Sec. 34, Twp. 48N., R. 4 E.B.M.

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

Gilson pipe line.

6. The right to take the water from such works is based upon Permit No. 9354.

RECEIVED

The source of supply from which such water is diverted is unnamed spring

OCT 21 1914

RECEIVED

OFFICE OF STATE ENGINEER

OCT 13 1914

8. The date of the priority which said user is prepared to establish is May 6 1913. Nov. 2 - 1913

OFFICE OF STATE ENGINEER

9354

Herbert Wing,
~~Acting~~ State Engineer.
 Acting

October 14, 1914.

Permit 9354. - Gilson.

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

Sir:

Replying to your letter of the 9th inst., enclosing notices for final proof under above permit, would say that the name of the holder, under paragraph 1 of the blank, should be the administrator, or the name of the party acting for and on behalf of the heirs of J.F. Gilson. Am herewith returning same for this correction.

Very truly yours,

Herbert Wing,

Deputy State Engineer.

3H

by _____

9354

State of Idaho
ENGINEERING DEPARTMENT
BOISE

F. P. KING,
STATE ENGINEER

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

BOISE, IDAHO,

DEAR SIR:

Under the terms of your permit No. 9354, you are required to complete your diversion works on or before _____ 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,

Herbert Wing, ~~F. P. KING~~
Acting State Engineer.

Under the head of remarks, in the affidavit, the holder should state whether or not the works of diversion were completed within the time specified in the permit, June 16, 1914.

9354

CHAS. F. O. MERRIAM

R. S. MERRIAM

Merriam & Merriam

MINING ENGINEERS

BR

Wallace, Idaho

October 9, 1914.

State Engineer,
Boise, Idaho.

Sir;-

I am sending you herewith notice for publication
in re Permit No. 9354, J. F. Gilson, holder.

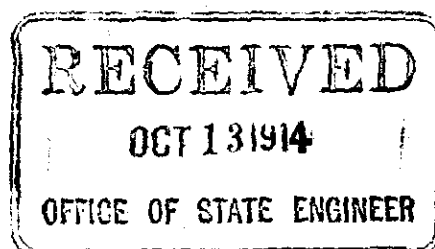
If you will kindly see that this notice is sent to
the paper and will send me the necessary papers to be
filled out before the notary public, I will see to it
that they are taken care of.

The owner of this permit is now ready to make proof
of both completion of works and of the application of
works and desires to make both proofs at the same time.

The original owner of this permit has since died
papers
and the ~~permit~~ will have to be made out by the estate.

Very respectfully,

C. F. Merriam



9354

State of Idaho

ENGINEERING DEPARTMENT
BOISE

F. P. KING,
STATE ENGINEER

Mr. J. F. Gilson,
Wallace, Idaho.

March 3, 1914.

Dear Sir:

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your permit No. **9354**..... 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 the date it is submitted.

Yours truly,

F. P. KING,
State Engineer.

State of Idaho
ENGINEERING DEPARTMENT
BOISE

F. P. KING,
STATE ENGINEER

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Mr. J. F. Gilson,
Wallace, Idaho.

Boise, Idaho, March 3, 1914.

Dear Sir:

Under the terms of your permit No. 9354, you are required to complete your diversion works on or before June 16, 1914. 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,

F. P. KING,

State Engineer

9354

STATE OF IDAHO
ENGINEERING DEPARTMENT
BOISE

A. E. ROBINSON,
STATE ENGINEER

Permit No. 9354. J.F? Gilson,
R. S. Merriam,
Wallace, Idaho.
Dear Sir:

BOISE, IDAHO. June 23, 1913.

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.

F. P. KING
~~A. E. ROBINSON,~~

State Engineer.

9354

OF

TER RIGHT

WILL FROM BY

561730N

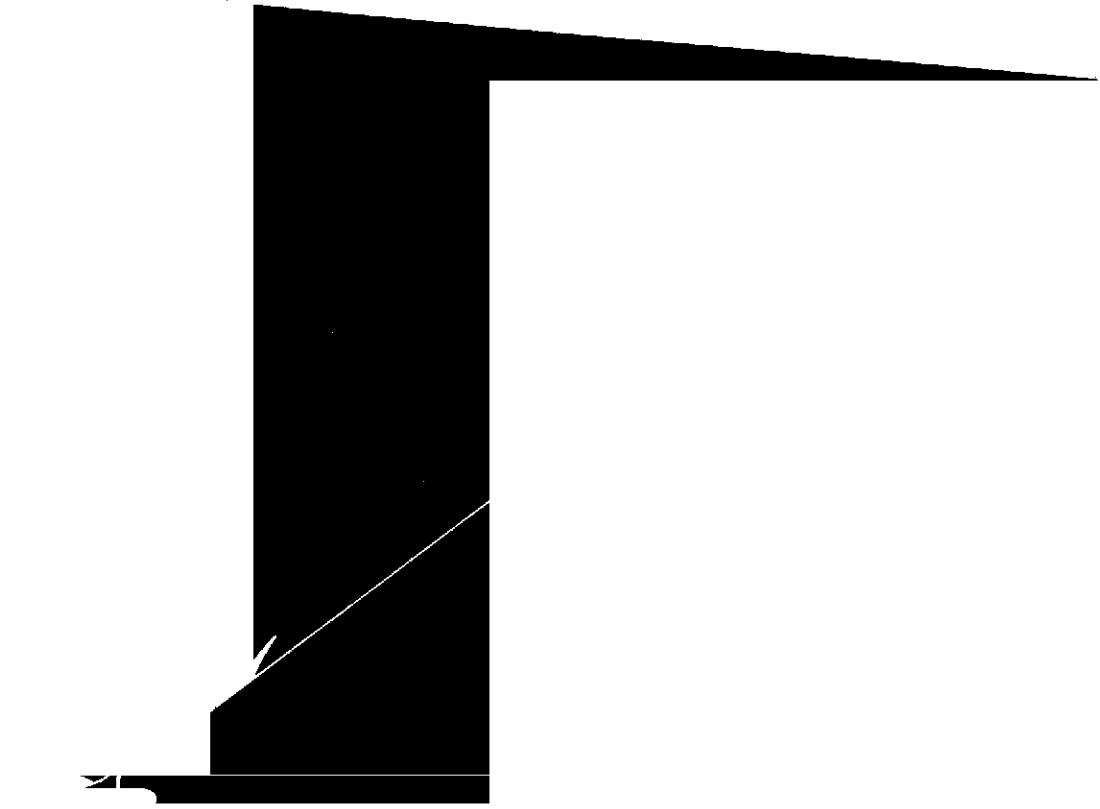
SCALE

FEET TO INCH.

600

558.29

PIPE



SHOWING NO. 1

UNDER

PERMIT NO. 9354

SCALE

20 FEET TO 1 INCH.

5.96" X 4.45"

5.96" X 4.45"

SPRING