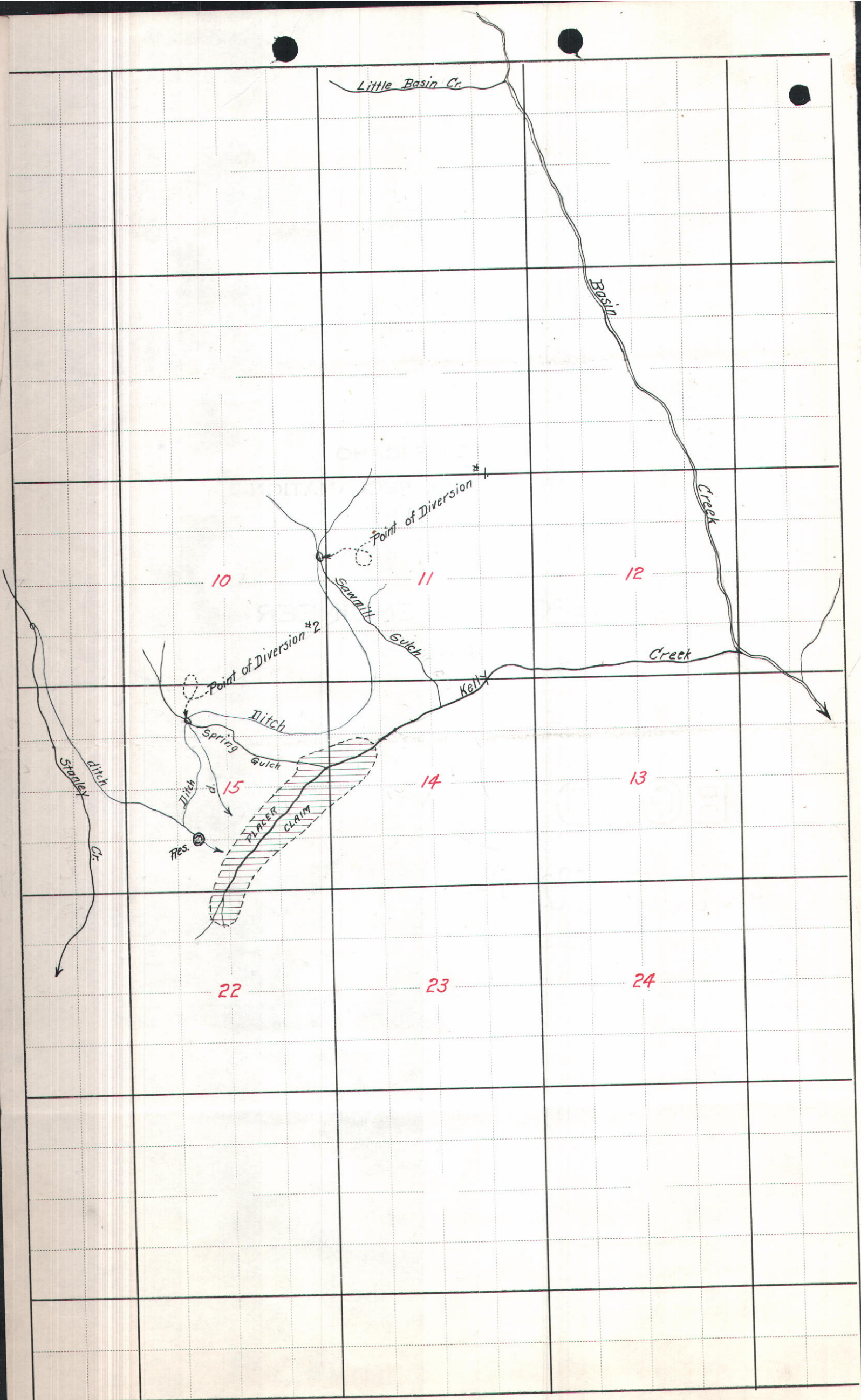




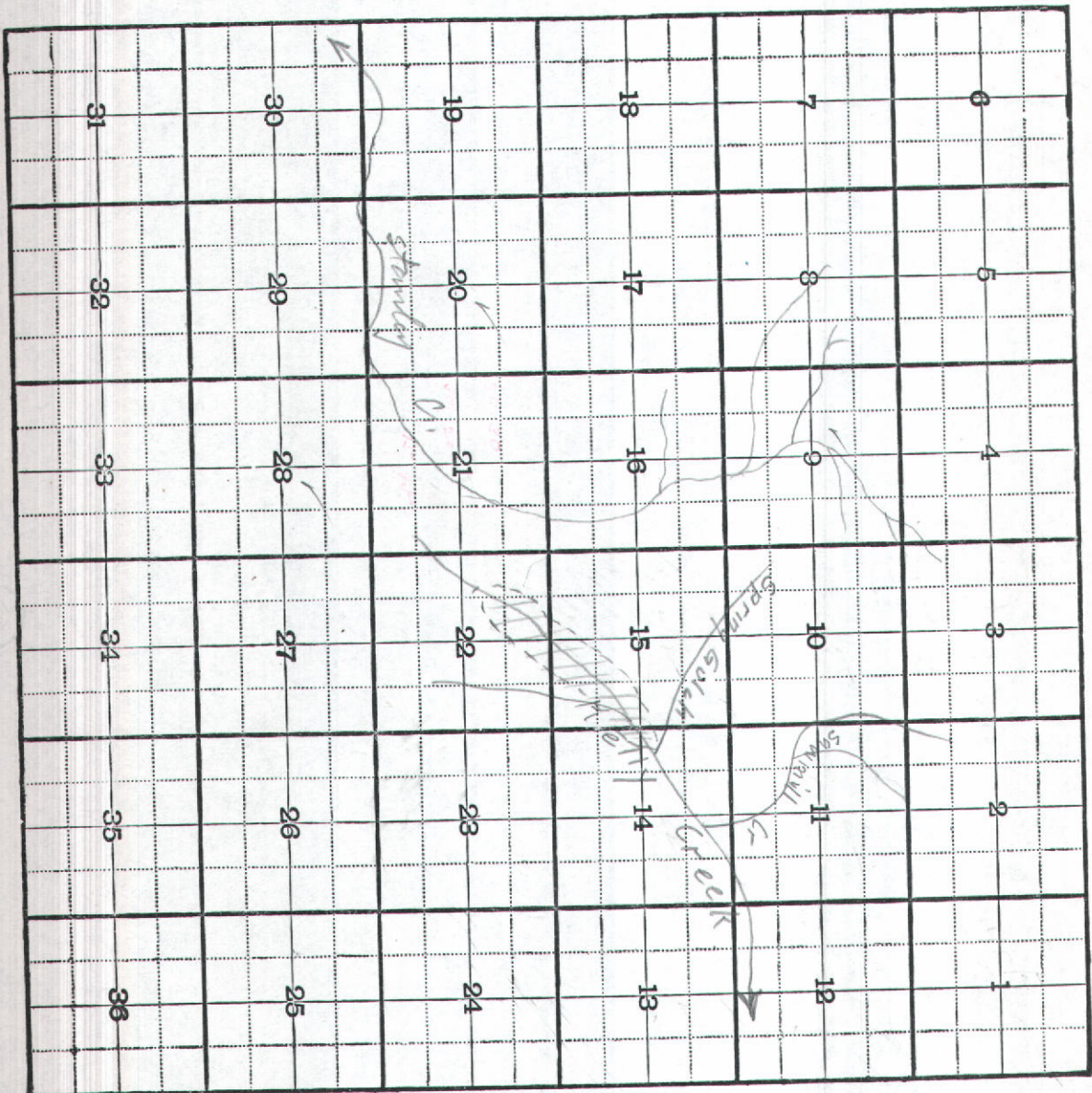
SCALE: 2 INCHES EQUALS 1 MILE. DRAW MAP IN INK.

17498

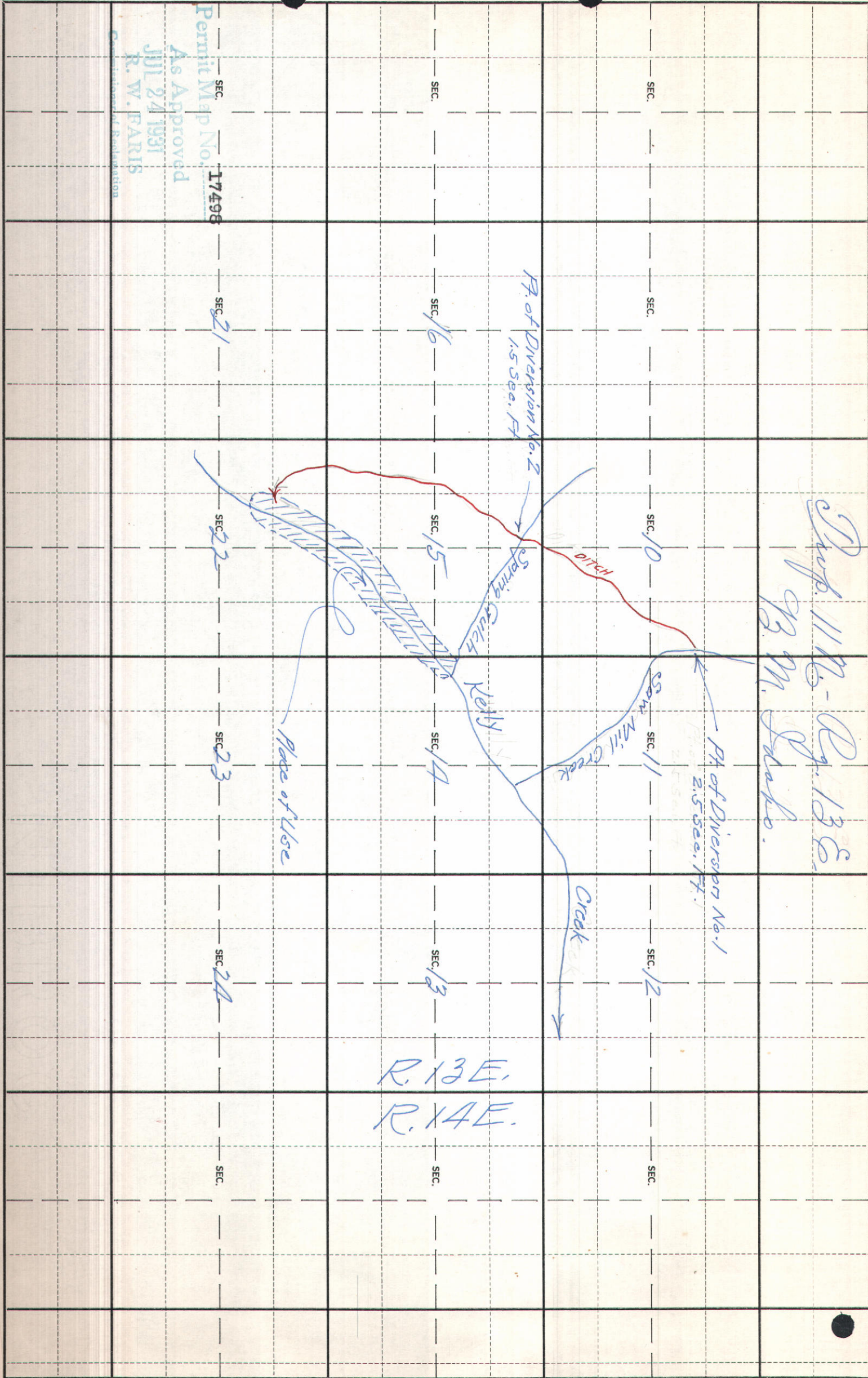
SCALE: ONE INCH TO ONE MILE

Township

Range



867L1



State of Idaho
License and Certificate of Water Right

Water License No. 17498

Amount 4.0 sec. ft.

Water District No. _____

Priority July 30, 1931

THIS IS TO CERTIFY that **JOHN WEIDMAN**
of **Stanley, Idaho**, made application for a permit to appropriate the
public waters of the State of Idaho, dated **July 18**, 19 **31**; that Permit No. **17498**
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
4.0 second feet, was issued thereunder on **July 1**, 19 **36**, showing that said works
were completed on the **26th** day of **June**, 19 **36**; and that on the **5th**
day of **August**, 19 **36**,

JOHN WEIDMAN
of **Stanley**, State of **Idaho**, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of **Sawmill Gulch and**
Spring Gulch, tributaries of Kelly Creek, for the purpose of **Placer mining**
under Use Permit No. **17498** 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 **9**
of Licenses, at page **3855**, on the **10th** day of **February**, 19 **37**;

The right hereby confirmed dates from **July 30**, 19 **31**;

The Point of Diversion is located **No. 1 (Sawmill Gulch)**
No. 2 (Spring Gulch)
in the **NE 1/4 NW 1/4**, Sec. **15**, T^p. **11 N.**, R. **13 E.**, B. M. **Custer 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 **4.0**
cubic feet per second.

Water is used on applicant's placer claims as set out
Description and location of use: in Permit No. **17498**

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated

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

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho,
this **10th** day of **February**, 19 **37**

R. W. FARIS

Commissioner of Reclamation

(SEAL)

72 2074

72-2074

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 24579
Permit No. 17498
District No.

1. Name of Applicant: **John Weidman**

Postoffice address: **Boise** County: **Ada** State: **Idaho**

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (a) Cash on hand:
- (b) Treasury stock:
- (c) Bonds to be issued:
- (d) Other resources:

2. Quantity of water claimed: **4.0** cubic feet per second.

3. Source of water supply: **Sawmill Gulch & Spring** which ^{Gulch are} is a tributary of to **Kelly Creek**

4. Location of point of diversion: **No.1(2.5 sec.ft.)-Sawmill Gulch**
No.2(1.5 sec.ft.)-Spring Gulch

corner of Section , T. , R. , B. M., and is in the **SE $\frac{1}{4}$ NE $\frac{1}{4}$**
NE $\frac{1}{4}$ NW $\frac{1}{4}$
of Section **10** , T. **11 N.**, R. **13 E.**, B. M., County of **Custer**

5. Water is to be used for: **Placer mining purposes.**

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: **"See Remarks"** 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 **Kelly Creek** at a point **"See Remarks"** feet
distant from the corner of Section , T. , R. , B. M., in the
of Section , T. , R. , B. M.

7. Estimated cost of works: \$ **500.00**

8. Kind of works: **Ditch and pipe line**

9. Height of dam **4** feet; length of dam at top **300** feet; length of dam at bottom **300**
feet; material used in dam: **Earth**

10. Size of headgate: Width **3** feet; height **3** feet.

11. Ditch: Width at bottom **2 $\frac{1}{2}$** feet; width at water line **4** feet; depth of water **1**
feet; dimensions of flume

Diameter of pipe **10 to 7** inches; length of conduit **Ditch 2 $\frac{1}{2}$** miles.
Pipe 250 feet.
Average grade per mile **10** feet.

12. The time required for the completion of such work is **5** 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.

John Weidman
Applicant.

By _____ *Agent.*

Date of first receipt at Department of Reclamation: 11 A.M., July 18, 1931

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is **17498**
Recorded in Book **63** Page **17498** Approved **July 24, 1931**
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 **September 23, 1931** and to continue diligently and uninterruptedly to completion,
unless temporarily interrupted by circumstances over which permit holder has no control.
One-fifth of the work above specified to be completed on or before **January 24, 1934**
The whole of said work to be completed on or before **July 24, 1936**
Beneficial use of water appropriated in accordance herewith, to be made on or before **July 24, 1936**

Witness my hand this **24th** day of **July, 1931**

R. W. FARIS

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 $\frac{1}{4}$	
			Remarks: Water is to be used along a strip of land approximately 600 feet on each side of Kelly Creek and extending from the mouth of Spring Gulch up creek a distance of approximately $\frac{3}{4}$ of a mile. Water will be returned to Kelly Creek at various points according to place of use. Permit No. 17498 CERTIFICATE OF COMPLETION OF WORKS TO ALL WHOM IT MAY CONCERN: This is to certify that JOHN WEIDMAN, of Stanley, County of Custer, and State of Idaho, the holder of Permit No. 17498, issued upon Application No. 24579 bearing date of priority of July 18, 1931, authorizing the diversion of 4 second feet of the waters of Sawmill Gulch and Spring Gulch, which are tributary to Kelly Creek, County of Custer, State of Idaho, for placer mining 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 4 second feet of the waters of Sawmill Gulch and Spring Gulch; that the point of diversion of said waters is: Sawmill Gulch - SE$\frac{1}{4}$ NE$\frac{1}{4}$, Sec. 10; Spring Gulch - NE$\frac{1}{4}$ NW$\frac{1}{4}$, Sec. 15, T. 11 N., R. 13 E., B. M. Witness my hand this 1st day of July, A. D., 1936. R. W. FARIS Commissioner of Reclamation Proof of Completion of Works made June 26, 1936 Certificate of Completion of Works issued July 1, 1936																

LICENSE ISSUED FOR 4.0 SEC. FT.
p. 3855-9027

WATER RIGHT NUMBER 72-2074

OWNER LAST NAME - WEIDMAN

FIRST NAME - JOHN

ORIG OWNER -

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - STANLEY

STATE - ID ZIP CODE -

SOURCE - SAWMILL GULCH

TRIBUTARY OF - KELLY CREEK

SOURCE - SPRING GULCH

TRIBUTARY OF - KELLY CREEK

STAGE - LICENSE

STATUS -

PRIDRITY - 07-30-1931 COUNTY - CUSTER

TOTAL DIV. RATE - 4.0000 -CFS

TOTAL DIV. VOLUME -

.00 AFA TRFR/AMEND -

WATER DIST. - 72F DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - SENE 10 11N 13E LOT

REDIV -

272.0 92.0 437.0 7.0 3.0 0.0 0.0 0.0 0.0 0.0 1.1

NENW 15 11N 13E LOT

REDIV -

272.0 92.0 437.0 7.0 4.0 0.0 0.0 0.0 0.0 0.0 0.7

FROM - TO -

USE - MINING

USE DIV. RATE -

4.0000 CFS

USE DIV. VOLUME -

.00 AFA

USE -

PLACE OF USE - TWN

RNG

SEC

DATE -

TOTAL ACRES

0

DECREE NAME -

REMARKS - SOURCES FOR THIS RT. ARE SAWMILL GULCH & SPRING GULCH.

P/U SAME AS IN LIC. 72-2074.

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE - LIC. 71-2056.

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 17498

PROOF MADE -

FLO EXAM -

COND. OF APPROVAL -

DIVERSION MEANS -

VERIFIED LGS

01/22/85

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

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 17498 172-2074
 OTd No. New No.

Record

1. Original Owner: John W. Weichman

Present Owner: _____

2. Address:

3. City: Stanley State: Id Zip: _____

4. A. Source of Water: Sawmill Gulch + Spring Gulch

B. Tributary of: Kelly Gulch

5. A. Stage (A,P,L,D,S,J): L

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 7-30-1931

D. County: 37

E. Total Diversion Rate: 4

F. Total Diversion Volume:

G. Transfer/Amendment (P,T of A or blank):

H. Water District: 72F

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>SENE</u>	<u>10</u>	<u>11N</u>	<u>13E</u>		
	<u>NE NW</u>	<u>15</u>	<u>11N</u>	<u>13E</u>		

7. Period of Use, Use, Diversion Rate/Volume:

from _____ to _____ for X purposes. Amount 4
 (cfs or AC-FT/yr)

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

February 17, 1937

XXXXXXXXXX

Bersilla W. Clark

Re: Permits No. 17404 & 17498

JOHN WEIDMAN
Stanley, Idaho

Dear Sir:

You will find enclosed herewith, License and Certificate of Water Right which has been issued under each of the above permits for six second feet of the waters of Stanley Creek and for four second feet of the waters of Sawmill Gulch and Spring Gulch.

We are also enclosing our Office Receipts No. 16112 and 16113, each in the amount of \$5.00, covering fees remitted by you in connection with beneficial use proof under these permits.

Very truly yours

R. W. FARIS
Commissioner of Reclamation

by
Ass't Chief Clerk

17498

cj
encl

January 30, 1937

Re: Permits No. 17404 and 17498

JOHN WEIDMAN
Stanley, Idaho

Dear Sir:

This is to advise you that upon receipt of a fee of \$5.00 we shall issue a license under Permit No. 17498 authorizing the appropriation of 4 second feet of water from Sawmill Gulch and Spring Gulch in Custer County for placer mining purposes.

Further, upon receipt of an additional \$5.00, we shall issue a license under the terms of Permit No. 17404 for 6 second feet of water from Stanley Creek, likewise for placer mining purposes.

Very truly yours

Chief Clerk & Office Engineer

PLH/cj

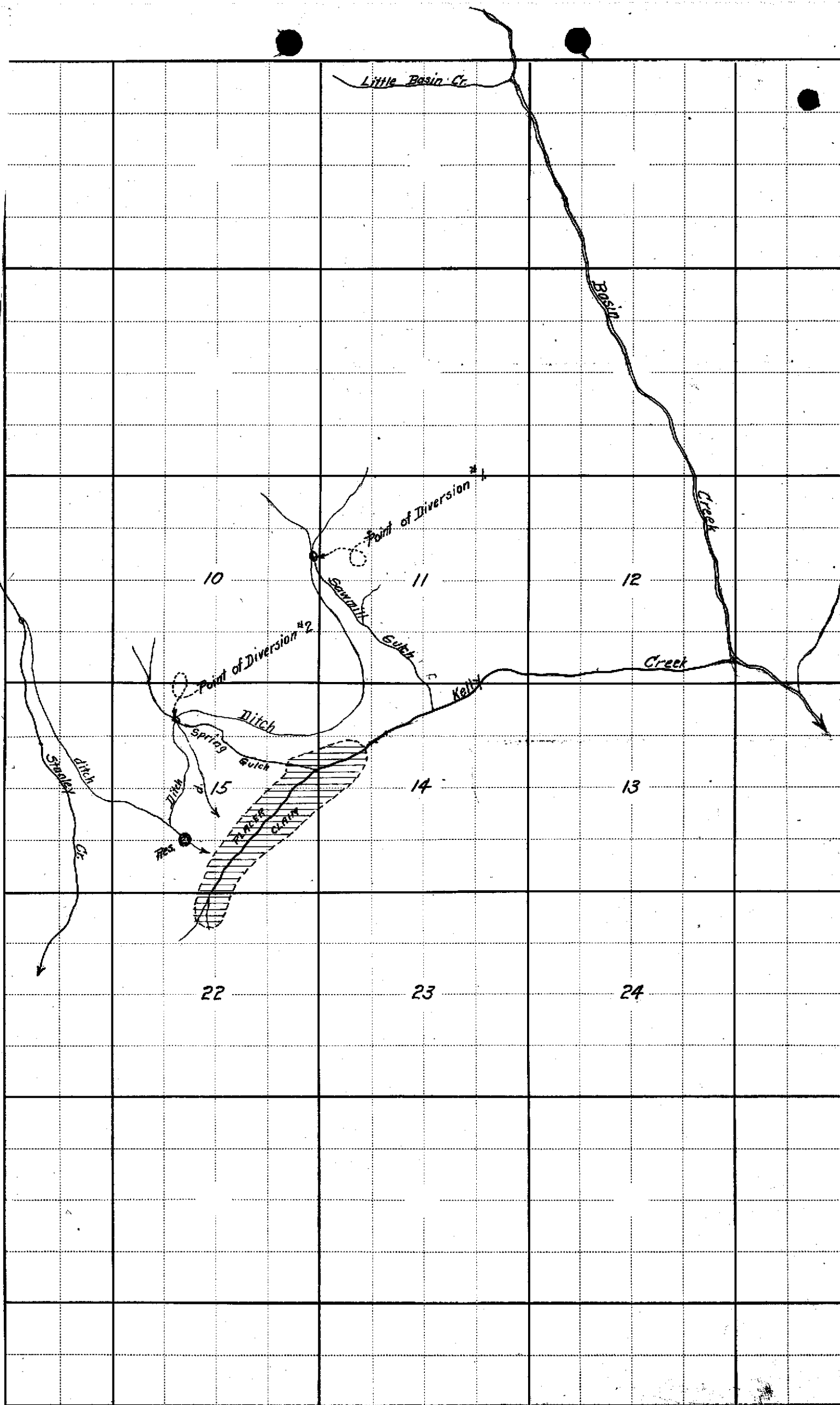
17498

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 17498

REPORT ON PROOF OF Beneficial Use



SCALE: 2 INCHES EQUALS 1 MILE. DRAW MAP IN INK.

17498

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

Permit No. 17498

This proof is for Beneficial Use

In Water District No.

1. Name of applicant: John Weidman

2. Source of water supply: Sawmill Gulch & Spring Gulch

3. Location of point of diversion: Is in the No. 1 - SE $\frac{1}{4}$ NE $\frac{1}{4}$ 10
No. 2 - NE $\frac{1}{4}$ NW $\frac{1}{4}$ 15

T. 11 N. R. 13 E. County of Custer

4. Describe works as they exist, giving dimensions and capacities of same: Dam at P.O.D. #1 of earth 10 ft high, 6 ft top width x 130 ft long. Outlet 10" x 14" x 30 ft long. Vertical gate at upper toe of dam is operated from bridge. Spillway 3' wide x 6' long x 1' deep. About 3 miles of ditch 3' wide x 15' deep. Small earth dam at P.O.D. #2 in Sawmill Gulch.

5. Water is used for: Placer mining

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):

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

8. What large stream would the water here appropriated finally reach? Salmon River

Remarks: Ditch below dam #1 has a headgate 3' wide x 5' long x 1' deep. Also a wasteway of the same dimensions.

This examination was made on the 27th day of October 1936.

(Signed)

Frank H. Salmon
Examiner.

John Weidman
Stanley, Idaho

30

Permit No. 17498

Examination for Beneficial Use

County Custer

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.
-

OFFICE OF THE
COMMISSIONER OF LANDS

August 12, 1936

Re: Permit No. 17498

JOHN WEIDMAN
Stanley, Idaho

Dear Mr. Weidman:

This will acknowledge receipt of the deposition of the holder, depositions of two witnesses and the affidavit of proof of publication from the newspaper, all in connection with beneficial use proof under the above permit.

Before final action can be taken in this matter, the law requires that a field examination be made by an engineer from this department. We are unable to say just when this examination will be made since the department has but one field engineer who makes examinations all over the state.

However, Mr. Tolman, Field Engineer for this department, will contact you at the time set for examination so that you may show him over the grounds. After his report is on file in this office, you will be further notified as to fees due before the issuance of your license.

Very truly yours

Chief Clerk & Office Engineer

FLH/cj

17498

AFFIDAVIT OF PUBLICATION

Notice For Publication

NOTICE OF PROOF APPLICATION
OF WATER TO BENEFICIAL USE

Notice is hereby given that at 11:00 A. M. on the 5th day of August 1936, at Challis, County of Custer, State of Idaho, before Emmett Donahue, County Recorder, proof will be submitted of the application to beneficial use of 4 cubic feet per second of the waters of Sawmill Creek and Spring Gulch in accordance with the terms and conditions of Permit No. 17498 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are John Weidman, Stanley, Idaho.

The use to which said water has been applied is Placer mining.

The amount applied to beneficial use is 4 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) no irrigation

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

The right to take water from such works is based upon Permit No. 17498.

The source of supply from which such water is diverted is Sawmill Creek and Spring Gulch.

The date of the priority which said user is prepared to establish is July 30, 1931.

R. W. FARIS
16-4 Commissioner of Reclamation

State of Idaho,
County of Custer, ss.

I, Halsey M. Gridley, manager of The Challis Messenger, a weekly newspaper, published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of The Challis

Messenger for 4
consecutive weeks commencing with the issue dated

July 15, 1936, and ending with the issue dated

August 5, 1936.

Halsey M. Gridley

Subscribed and sworn to
before me this 5th

day of August, 1936

Al Larter
Notary Public Residing at
Challis, Idaho

My Commission expires 1/27/38

17498

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 17498

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. ^{Weidman} John ~~Wedman~~, Stanley, Idaho Miner at Stanley, 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. # 17498; July 24, 1931; July 30, 1931

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

Ans. ~~200 inches Sec. 12 Twp. 11 N. R. 18 E. M.~~ Sawmill Gulch -
SE⁴NE⁴, Sec. 10; Spring Gulch - NE⁴NW⁴, Sec. 15, T. 11 N., R. 13 E.

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. Built a dam 7 feet high and 130 feet long, 30 wide at bottom, 4 ft. on top, remodeled a ditch 3 mile long which will carry 200 inches of water, known as saw mill ditch

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. District

Ans. for placer mining on Kelley Creek in Stanley Mining District
Idaho.

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

Ans. For placer and hydrolic and sluicing on placer ground

17498

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

Ans. From 100 to 200 inches

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. Have used the water for five year for about three months
each year in May, June and July

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. In 1930 + filed on 300 inches of water out of Stanley creek and
used it on the same land as above refered to.

(Sign)

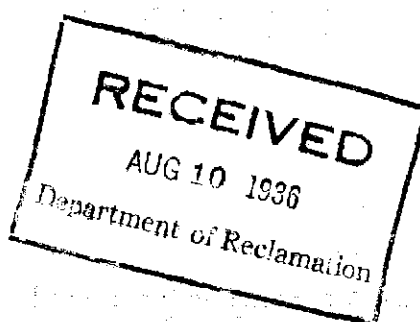
John Weidman

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 Challis, County of Custer, State of Idaho, on this 5th day of August, A. D. 19 36.

Emmett Donahue

Clerk of the District Court.

My commission expires _____



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 17498**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. Rosa B. Gregory, age 61 Challis, Idaho house wife

Ques. 2. Are you acquainted with Mr. John Weidman, the holder of Permit No. yes? How long have you known him and where does he reside?

Ans. four years resides in Stanley Idaho

Ques. 3. Have you read or heard read said Permit No. 17498, and are you familiar with its provisions and conditions?

Ans. Yes, 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. I have never been to the dam but have seen water in the ditch
and I have also seen Mr. Weidman doing work on the ditch, on
Saw Mill Creek I have seen about 150 inches on water in the
ditch

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. I estimate about 150 or 200 inches, I would say about 150

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division 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 improvement which have been made as a direct result of said use.

Ans. used for placer mining only

17498

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

Ans. Hydoric

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. I have none

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I lived at or near the ditch for three months and noticed
water in the ditch all during that time

(Signed)

Rosa B. Gregory

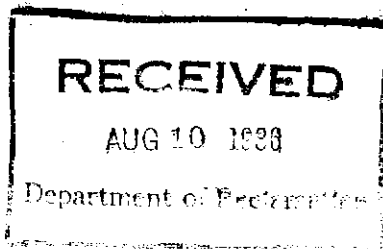
I hereby certify that the foregoing testimony was read to the above subbscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Challis, County of Custer, State of Idaho, on this day of 5th, A. D. 1936.

Ernest Bonahue

~~Notary Public~~

My commission expires _____

Clerk of the Dist. Court



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 17498

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. John J. Gregory, 70 year of age, Challis, Idaho Rancher

Ques. 2. Are you acquainted with Mr. John Weidman, the holder of Permit No. 17498? How long have you known him and where does he reside?

Ans. Four years and he resides in Stanley Basin, Stanley, Idaho

Ques. 3. Have you read or heard read said Permit No. 17498, and are you familiar with its provisions and conditions?

Ans. Yes, 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. Ditch from what is known as Saw Mill Creek about three miles long with a small dam at head of ditch, this water is taken to Mr. Weidmans placer claims known as the old Sturkey diggins located on the head of Kelley Creek in Twp. 11

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. It will conduct 250 inches to place of use, I have seen 330 inches

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division 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 improvement which have been made as a direct result of said use.

Ans. Used for placer mining only

17498

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

Ans. Hydoric

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. I have none what-ever

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. 1931 I saw this water being used on the above placer ground
as hydoric pump and also sluice

(Signed)

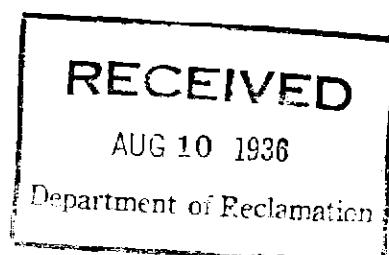
John J. Gregory

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 Challis, Idaho, County of Custer, State of Idaho, on this day of 5th August, A. D. 1936.

Emmett Donahue

~~Notary Public~~

My commission expires _____ Clerk of the District Court.



State of Idaho

DEPARTMENT OF RECLAMATION BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO,

July 27, 1936

EMMETT DONAHUE
County Recorder
Challis, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 17498

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 August 5, 1936, 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 Challis, Idaho before Emmett Donahue, County Recorder

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.

R. W. FARIS

Commissioner of Reclamation.

17498

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date.....July 6, 1936.....

Re: Permit No. 17498

EDITOR, Challis Messenger
Challis, Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to.....August 5, 1936....., the date set for proof, the expense of the publication to be paid by the applicant,.....John Seiden.....
.....Stanley, Idaho.....

to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

R. W. FARIS

Commissioner of Reclamation

17498

107

Notice For Publication

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

Notice is hereby given that at 11:00 A. M. on the 5th day of August 1936, at Challis, County of Custer, State of Idaho, before Emmett Donahue, County Recorder, proof will be submitted of the application to beneficial use of 4 cubic feet per second of the waters of Sawmill Creek and Spring Guleh in accordance with the terms and conditions of Permit No. 17498 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are John Weidman, Stanley, Idaho.

The use to which said water has been applied is Placer mining.

The amount applied to beneficial use is 4 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) no irrigation

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

The right to take water from such works is based upon Permit No. 17498.

The source of supply from which such water is diverted is Sawmill Creek and Spring Guleh.

The date of the priority which said user is prepared to establish is July 30, 1931.

R. W. FARIS

16-4 Commissioner of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) June, 22, 1936

(P. O.) Stanley, Idaho

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
.....~~The Challis Messenger~~..... of Challis Idaho....., published in
the county in which the works are situated.

John Wideman

(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.

17498

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 11:00 a. m. on the 5th day of August, 19 36,
at Challis, County of Custer, State of Idaho,
before Emmett Donahue, County Recorder, proof will be submitted
of the application to beneficial use of 4 cubic feet per second of the
waters of Sawmill Creek & Spring Gulch in accordance with the terms and conditions of
Permit No. 17498 heretofore issued by the Commissioner of Reclamation
of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are
John Weidman, Stanley, Idaho

The use to which said water has been applied is Placer mining

The amount applied to beneficial use is 4 cubic feet per second

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) No irrigation

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

The right to take water from such works is based upon Permit No. 17498

The source of supply from which such water is diverted is Sawmill Creek and
Spring Gulch

The date of the priority which said user is prepared to establish is July 30, 1931

R. W. FARIS

Commissioner of Reclamation.

17498

July 6, 1936

Re: Permit No. 17498

MR. JOHN WEIDMAN
Stanley, Idaho

Dear Mr. Weidman:

This will acknowledge receipt of notice in duplicate for publication in connection with beneficial use proof, and also your authorization to have the notice published in the Challis Messenger, Challis, Idaho, all in connection with Permit No. 17498.

A copy of the notice has been mailed to the newspaper with instructions to publish it once a week for four consecutive weeks prior to August 5, 1936. About ten days prior to this date, depositions consisting of one for the holder and one each for two witnesses, will be mailed to Emmett Donahue, County Recorder, Challis, Idaho, so that he will have them in ample time for the proof.

On the date designated you should appear at Mr. Donahue's office with two disinterested witnesses, who are familiar with the terms of the permit and the works constructed thereunder, for the purpose of executing the depositions.

Very truly yours

Chief Clerk & Office Engineer

PLH/cj

17498

Permit No. 17498STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO,
County of Custer } SS.....John Weidman....., 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. 17498....., and that his postoffice address is Stanley.....
State of Idaho.....Second: That the name of the stream from which said water is to be diverted is.....
Sawmill Gulch and Spring GulchThird: That the point of diversion of said water is Sawmill Gulch - SE⁴NE⁴, Sec. 10, Spring Gulch - NE⁴NW⁴, Sec. 15, T. 11 N., R. 13 E., B. 1 M.
Township 11 North, Range 13 East, Section 11Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by July, 24,....., 1936.Fifth: That the use for which said water is intended is Placer Mining.....

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, Ditch, Dam
(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:.....

(a) Height of dam 7.....feet, length of dam at top 150.....feet, length of dam at bottom 139.....feet. Material used in construction Gravel and loam.....

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

(b) Capacity of reservoir 2.....acre feet.(c) Size of headgate: Width 14".....feet, height 10".....feet.(d) Conduit Ditch.....width at bottom 24 ".....feet, width at water line 3'.....
(State whether ditch, flume or pipe.)feet, depth of water 1.....feet; diameter of pipe.....inches, average grade per mile is 6' 6" feet. Length of conduit is 3.....miles.Seventh: That said works are capable of conducting to the place of intended use 4
4.....second feet of water.Eighth: That water appropriated under said permit is available for 140.....acres of land described as follows: 7 Placer claims
.....
.....
.....

Ninth: Remarks: That

John Weidman
(Sign here).Subscribed and sworn to before me this 24 day of June, 1936My commission expires July 4, 1938Ch. Gregory
Notary Public.

17498

July 1, 1936

Re: Permit No. 17498

MR. JOHN WEIDMAN
Stanley, Idaho

Dear Mr. Weidman:

We are herewith enclosing, Certificate of Completion of
Works issued in accordance with the terms of the above permit.

We are also enclosing Office Receipt No. 15878 in the
amount of \$5.00 covering fee remitted by you.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

by
Ass't Chief Clerk

oj
encl 2

17498

July 8, 1936

Permit 17498
Re: ~~Permit~~ No. 24579

JOHN WEIDMAN
Stanley, Idaho

Dear Mr. Weidman:

Under date of July 1st, we issued a Certificate of Completion of Works to you under the above permit, certifying to the completion of your diversion works for a capacity of four second feet of the waters of Sawmill Gulch and Spring Gulch. A few days later, this certificate was mailed to you with our office receipt for the \$5.00 fee which you remitted with your proof of completion of works.

You returned the certificate to us, apparently because you are of the impression that the point of diversion from Sawmill Gulch was incorrectly described in the certificate. I note that you have written "Section 11" in above "Section 10". However, at the time you filed your application for permit, you represented that it was in Section 10, and the plats that you submitted conformed to this description.

Consequently, the issue is that if this diversion point is in Section 11, you either were in error at the time you filed your application for permit, or you have since changed this point of diversion. There is a regular form of affidavit for change of point of diversion, and if you are positive of the description, you could file such an affidavit and correct the record immediately.

However, in view of the fact that you may be mistaken about this description, it is suggested that you let the matter wait until such time as a field engineer can make an examination after you have offered your final proof. The engineer can then determine the actual location of your diversion.

We are herewith returning your Certificate of Completion of Works.

Very truly yours

17498
Chief Clerk & Office Engineer

PLH/cj
encl

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

JOHN WEIDMAN
Boise, Idaho

Boise, Idaho, **May 8, 1936**

Dear Sir:—

Under the terms of your permit No.....**17498**.....you are required to complete your diversion works on or before.....**July 24, 1936**..... 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,

R. W. EARS

Commissioner of Reclamation.

17498

Form No. 9

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

JOHN WEIDMAN
Boise, Idaho

May 8, 1936

Dear Sir:—

I enclose herewith blank notice of proof of application of water to beneficial use under your permit No. **17498**....., which should be filled out and returned to this office at least 60 days before the date upon which you wish to make proof. The date for proof, as set out in your permit, is **July 24, 1936**....., and, if proof is submitted subsequent to said date, your priority will be brought down a length of time equal to the time elapsing between the date proof should have been made and the date proof is actually made.

Yours truly,

R. W. PARIS ~~GEORGE W. BENTLEY~~
Commissioner of Reclamation.

17498

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

John Weidman

Permit No. 17498
~~622 State St~~
Boise

Boise, Idaho, July 28, 1931

Dear Sir:

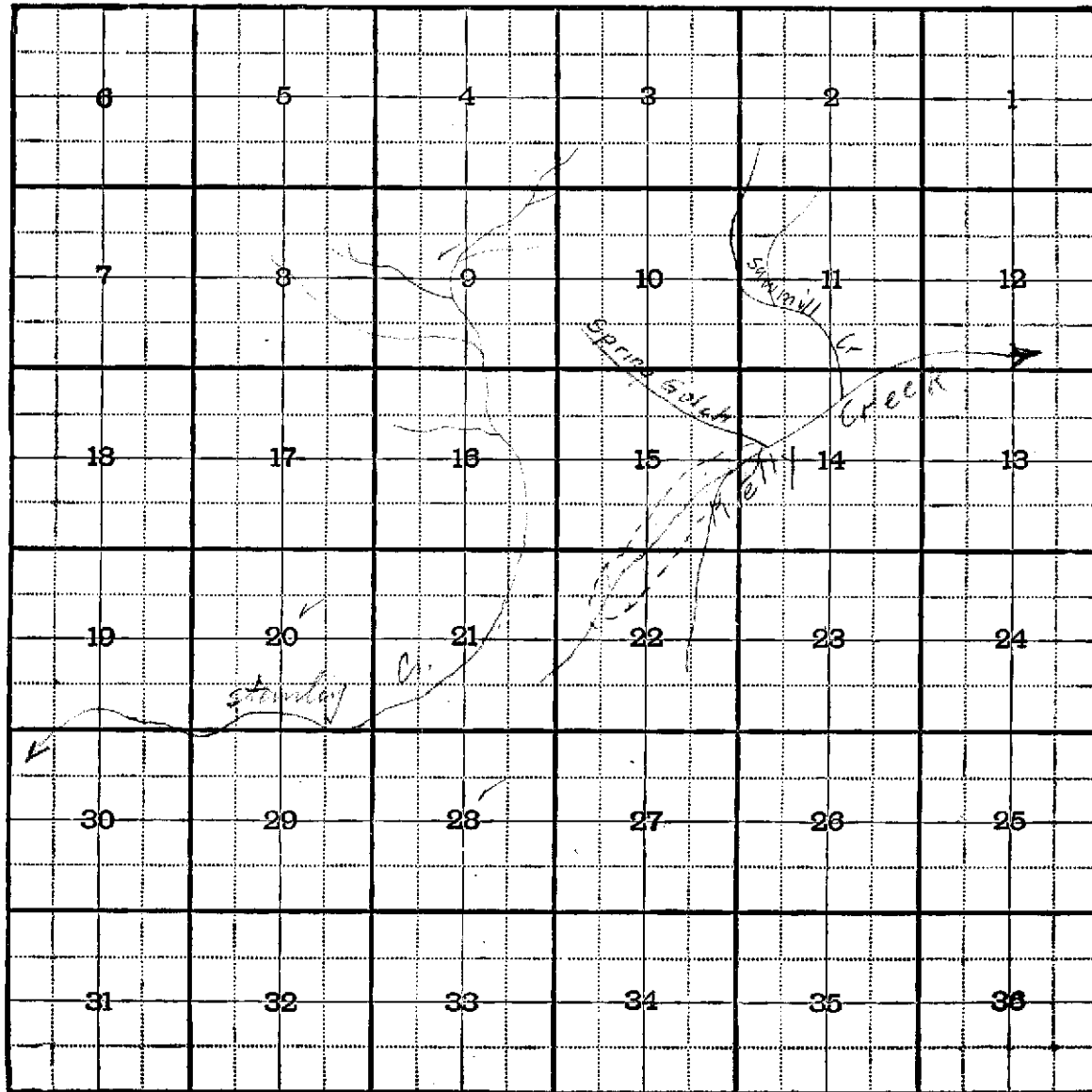
I enclose herewith above numbered permit. BE SURE AND
NOTE LIMITATIONS AND CONDITIONS OF SAME as
given under approval of the Commissioner of Reclamation on
the third page.

R. W. FARIS

17498
Commissioner of Reclamation.

SCALE: ONE INCH TO ONE MILE

Township Range



8646

