

They are continually moving upstream with their point of diversion and operations as they place mine the stream bed.



sluice box maybe from
100' to 500' long.

Began mining in 1938
work from mid April
until Oct 1st

Pipe is 12 or 14 gage

250' x 3" fire hose
1 saw 32" 3 saws x 30" dia

1400 rpm for saw
7 1/2
9800

35' sq x 4 1/2' h. or small
automatic reservoir

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 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.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
DEC 14 1950
Department of Reclamation

Frank & Willard Rood
Shoup, Idaho

104

Permit No. 18563

Examination for Beneficial use

County Lemhi

27-28-33-35

2371-19 E

mining (placer)

2 main d.

Salmon N.F.

4 mi. up Panther Cr

9-8-49

down to end of road on
Beaver cr. No one at
home there to provide
saddle horse. H

Q = 4 cfs. from main stream Beaver Cr.
1 " " do. Fork

600 - 700' g. ditch above shaft
1200 - 1400 " " 26' h x 6' x 6'

carry all water except high water

This stream is only prospecting.

N. Fork of Beaver. Aug 17

approx 1/2 mi. from Forks.

Use 1500 feet of pipe.

No 1 Joshua Hendy Fork

Giant San Francisco

Woggle 2 3/4" or 2" or 3"

operate under 100' head - usually
150' head.

Use giant to operate sawmill
Bell saw - pleasant city Kansas.

to mine with

to operate a winch for
moving boulders and moving
stuff.

Use flumes 2' w x 2' h
lined with poles approx.
6" d.

flume fall = 7" in 12'

Use all water in stream
for either the giant or the
sluice

NOTICE OF PROOF APPLICATION OF
WATER TO BENEFICIAL USE

Notice is hereby given that at 11 A. M. on the 1st day of June, 1948, at Salmon, County of Lemhi, State of Idaho, before Charles Herndon, Notary Public for State of Idaho, proof will be submitted of the application to beneficial use of 4 cubic feet per second of the waters of Beaver Creek, and 1 second foot from South fork of Beaver Creek in accordance with the terms and conditions of Permit No. 18563 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 Frank Rood and Willard Rood, Sr., Shoup, Idaho.

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

The amount applied to beneficial use is 5 cu. ft. per second.

The place where said water is used At mouth of South fork, 2000 ft. from Northwest corner Section 33, Twp. 23 N., Range 19 E., B. M., and in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ said Section 33, Twp. 23 N., Range 19 E., B. M.

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

The right to take water from such works is based upon Permit No. 18563.

The source of supply from which such water is diverted is Beaver Creek in Lemhi County, Idaho.

The date of priority which said user is prepared to establish is October 23, 1937.

MARK R. KULP,

Commissioner of Reclamation.

Pub. 5-6-4tc.

18563

Affidavit of Publication

STATE OF IDAHO,
County of Lemhi,

ss.

RONALD BURKE, being first duly sworn, deposes and says that he is one of the printers (publisher) of the RECORDER HERALD, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein,

That the NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE a true

printed copy of which is attached to the margin hereof, has been and was correctly printed and published in the regular and entire issue of every number of

said newspaper and not in any supplement thereof or thereto for FOUR

consecutive issues, commencing with the issue dated MAY 6, 1948

and ending with the issue dated MAY 27, 1948

Subscribed and sworn to before me, this 30th

day of July, 1948

Charles Herndon

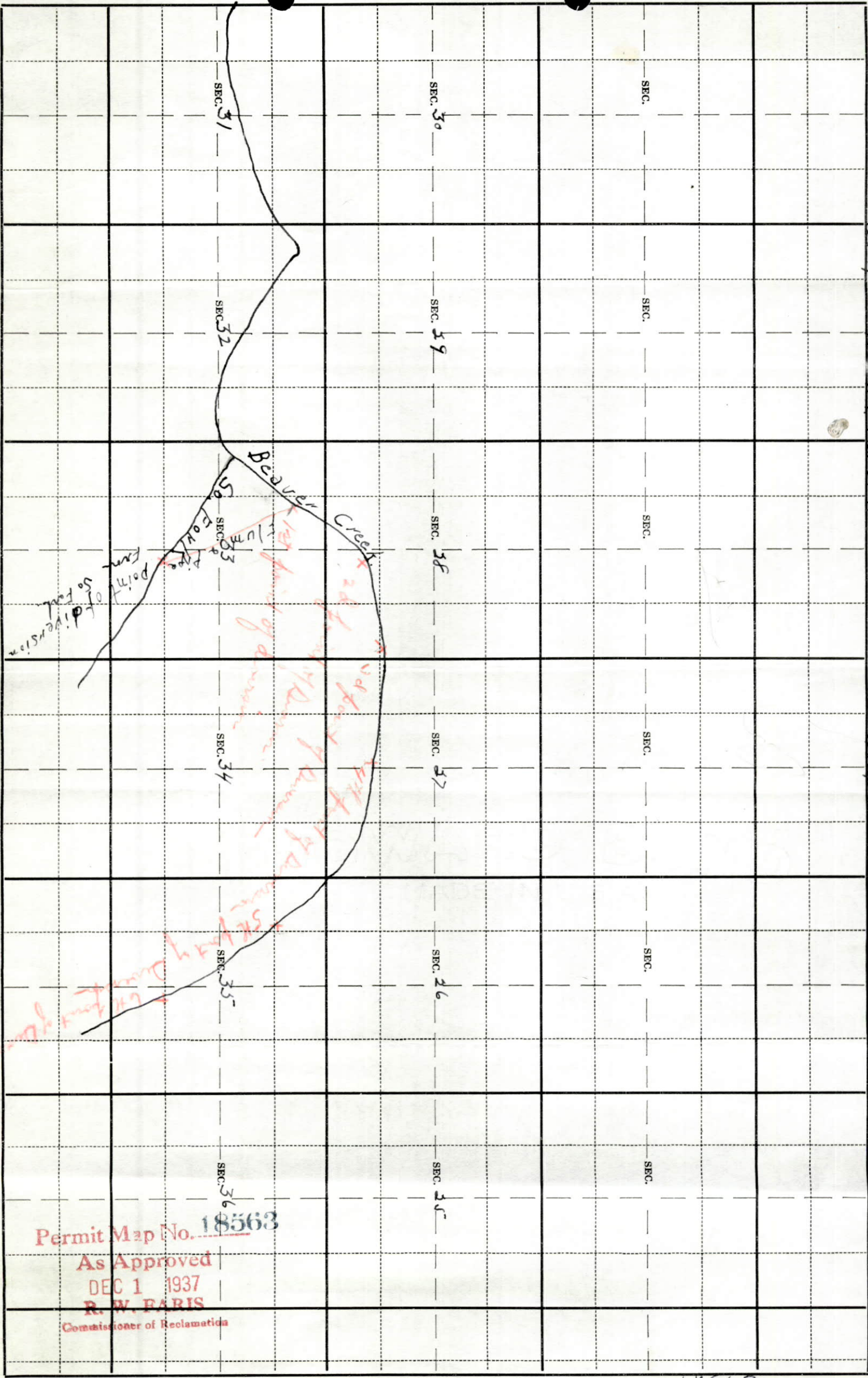
Notary Public for the State of Idaho,
Residing at Salmon, Idaho.

Publication Fee \$ 11.25

18563

NAME OF APPLICANT Frank Rood & Willard Rood

FORM NO. 0



Permit Map No. 18563
As Approved
DEC 1 1937
R. W. PARIS
Commissioner of Reclamation

INTER-DEPARTMENT MEMO — 1

DATE 1-7-85

FROM *Yluw*

TO *File*

SUBJECT - For data entry purposes, only one (1) forty in each sec is shown for the P.d. in order to have the p.d.s show on the printout but still not "Clutter" the printout w/ numerous P.d's.

Yluw

SIGNATURE

State of Idaho
License and Certificate of Water Right

Water License No. 18563

Amount.. 5 second feet

Water District No.

Priority October 23, 1937

THIS IS TO CERTIFY that FRANK ROOD and WILLARD ROOD, SR.
of Shoup, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated October 23, 1937; that Permit No. 18563
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
5 second feet, was issued thereunder on November 5, 1942, showing that said works
were completed on the 31st day of October, 1942; and that on the 30th
day of July, 1948,

FRANK ROOD and WILLARD ROOD, SR.

of Shoup, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of Main fork Beaver Creek, of the South fork Beaver Creek, a tributary of Panther Creek and for the purpose of placer mining

under Use Permit No. 18563 of the Department 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 State Reclamation Engineer of Idaho and entered of record in Volume 8 of Licenses at page 4686, on the 12th day of January, 1951;

The right hereby confirmed dates from **October 23,** , 1937 ;

The Pointsof Diversion is located at various points along the streams, following their operations
in Sections 27,- 28, 33 and 35,
~~in the~~
Tp. 23 N. , R. 19 E. , B. M. Lemhi 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 1 cubic feet per second. from main fork Beaver Creek, and 1 second foot from the South fork of Beaver Creek.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
Either	side of	the	stream bed in the	sections above	described.

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 State Reclamation Engineer, affixed at Boise, Idaho, this
12th day of January, 1951.

MARK R. KULP

State Reclamation Engineer

(SEAL)

~~77-2070~~
75-2183

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

Application No. 25888

Permit No. 18563

District No.

1. Name of Applicant: Frank Rood and Willard Rood, Sr.

Postoffice address Shoup

County:

Lemhi

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 cu. ft. from Main Cr. 1 cu. ft. from So. Fork
cubic feet per second.3. Source of water supply: Main Fork Beaver Creek and / South Fork Beaver Creek
which is a tributary of Panther Creek and Beaver Creek4. Location of point of diversion: approx 2000 feet distant from the NW
corner of Section 33, T. 23 N., R. 19 E., B. M., and is in the approx. NE $\frac{1}{4}$ NW $\frac{1}{4}$
of Section 33, T. 23 N., R. 19 E., B. M., County of Lemhi (See "Remarks")

5. Water is to be used for: Hydraulic Mining

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

Fork 2000

(a) Point of use of water: Mouth of So. / feet distant from NW corner of Section 33

T. 23 N., R. 19 E., B. M., in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33, T. 23 N., R. 19 E., B. M.

(b) Amount of power generated: H. P., under feet head.

(c) Water is to be returned to Beaver Creek at a point 2000 feet

distant from the NW corner of Section 33, T. 23 N., R. 19 E., B. M., in the
SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33, T. 23 N., R. 19 E., B. M.

7. Estimated cost of works: \$ 1,000.00

8. Kind of works: Pipe line, flume & ditch

9. Height of dam 5 feet; length of dam at top 30 feet; length of dam at bottom 20
feet; material used in dam: logs & dirt

10. Size of headgate: Width 4 feet; height 4 to 6 feet.

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

feet; dimensions of flume: 24 in. wide, 24 in. deep, 50 ft. long

Diameter of pipe 10 inches; length of conduit 18 hundred 50 feet

miles.

Average grade per mile 10 per cent 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 6 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.

FRANK H. ROOD WILLARD ROOD, SR. Applicant.

By _____ *Agent.*

Date of first receipt at Department of Reclamation: 11:00 A. M., Oct. 23, 1937

Returned to applicant for correction: Nov. 2, 1937

Corrected application received: Nov. 6, 1937

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 18563

Recorded in Book 67 Page 18563 Approved Dec. 1, 1937

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 January 30, 1938 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 June 1, 1940

The whole of said work to be completed on or before December 1, 1942

Beneficial use of water appropriated in accordance herewith, to be made on or before December 1, 1948

Witness my hand this 1st day of December, 1937.

R. W. FARIS
Commissioner of Reclamation.

Remarks: See Below.

14.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
Remarks: The point of diversion from the South Fork of Beaver Creek will be in the SW¼ of the SE¼, of Sec. 33, Twp. 23 N., R. 19 E., B. M.																			
The several points of diversion from the main Beaver Creek will be approx. as follows:																			
First Point: in the NE¼ of the NW¼, Sec. 33; Twp. 23 N., R. 19 E.																			
Second Point: " " SW¼ " " SE¼, " 28 " " "																			
Third Point: " " NE¼ " " SE¼, " 28 " " "																			
Fourth Point: " " SE¼ " " SW¼, " 27 " " "																			
Fifth Point: " " NW¼ " " NW¼, " 35 " " "																			
Sixth Point: " " SW¼ " " SE¼, " 35 " " "																			
In testimony whereof, we, BARZILLA W. CLARK, Governor of the State of Idaho, and IRA H. MASTERS, Secretary of State of the State of Idaho, have hereunto caused this instrument to be executed in the name of the State of Idaho and caused the Great Seal of the State of Idaho to be hereunto affixed this 1st day of December, 1937.																			
(SEAL)																			
Countersigned:																			
By IRA H. MASTERS Secretary of State																			
STATE OF IDAHO By BARZILLA W. CLARK Governor																			

PERMIT NO. 18563																			
CERTIFICATE OF COMPLETION OF WORKS																			
TO ALL WHOM IT MAY CONCERN:																			
This is to certify that FRANK ROOD AND WILLARD ROOD, SR. of SHOUP, Count of Lemhi, and State of Idaho, + Number 18563, issued upon Application No. 25888 bearing date of priority of October 23, 1937, authorizing the diversion of second feet of the waters of MAIN FORK OF BEAVER CREEK AND SOUTH FORK OF BEAVER CREEK, County of LEMHI, State of IDAHO for MINING purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying the intended use -FOUR- second feet of the waters of MAIN FORK OF BEAVER CREEK AND -ONE- SECOND FEET OF THE WATERS OF BEAVER CREEK, that the point of diversion of said waters ARE APPROXIMATELY AS FOLLOWS: FROM MAIN FORK OF BEAVER CREEK, Sec. 33, SW¼SE¼, Section 28, NE¼SE¼, SECTION 28; SE¼SW¼ Section 27, NW¼NW¼ SECTION 35, SW¼SE¼ SECTION 35, ALL IN TOWNSHIP 23 NORTH, RANGE 19 EAST, B. M.																			

E. SOUTH FORK BEAVER CREEK, SW $\frac{1}{4}$ SE $\frac{1}{4}$ SECTION 33, TWP. 23 N. RANGE 19. E. and that the lands proposed to be irrigated by the
of said water are described as follows, to-wit: TO BE USED ON APPLICANT'S PLACER GROUND.
EAL)

Witness my hand this 5th, day of November, A. D., 1942.

E. V. BERG /s/
COMMISSIONER OF RECLAMATION

Completion Made: October 31, 1942.
Certificate Issued: November 5, 1942.

LICENSE ISSUED FOR 5 SEC. FT.
Page 4686

January 18, 1951

Re: Permit No. 18563

Messrs. Frank and Willard Rood
Shoup, Idaho

Gentlemen:

We enclose License and Certificate of Water Right issued under Permit No. 18563, confirming your right to the use of five (5) second feet of water from the Main fork and the South fork of Beaver Creek, with priority of October 23, 1937, for placer mining on either side of the stream bed in Sections 27, 28, 33, and 35, Township 23 North, Range 19 East, B.M.

We also enclose Departmental Receipt No. 22989 for the \$5.00 fee paid in connection with this proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

18563

Shoup Idaho
Jan. 8 - 1951

Mark R Kulp
State Reclamation Engineer
Boise Idaho.

Please find check for \$5.00
enclosed - per your letter
of Dec. 18 - 1950. So I am
sending the statutory fee
for license - for permit no.
18563.

Thank You

Willard & Frank Rood,
Shoup,
Idaho.

RECEIVED
JAN 12 1951

Department of Reclamation

18563

✓
December 18, 1950

Re: Permit No. 18563

Messrs. Frank & Willard Rood
Shoup, Idaho

Gentlemen:

We now have on file the report of our Field Engineer on examination for beneficial use under Permit No. 18563.

Therefore, upon receipt of the statutory fee of \$5.00, a License will be issued for five second feet of water from Beaver Creek and the South Fork of Beaver Creek, for placer mining purposes.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A: bh

18563

Re: Permit No. 18563

Frank and Willard Road, Shoup, Idaho

Inspection of this placer claim and use of water was made on the 17th day of August, 1950.

The work at present is being done on the main fork of Beaver Creek, approximately $4\frac{1}{2}$ miles above the end of the road on Beaver Creek. The amount of water being used is all of the stream which is much in excess of the 4 cubic feet filed on. Water is used for a Number 1 Hydraulic Giant with either a $3\frac{1}{2}$ or 4" nozzle, and in addition for sluicing purposes.

Their need for water is such that in addition, a small reservoir 35' sq. by $4\frac{1}{2}$ ' deep with an automatic trip gate 20" wide is used in addition to the regular stream during the late summer season.

The placer claim is worked from approximately the middle of April or first of May to October by both Frank Rood and his father. They have a very comfortable log cabin and other out buildings, built where the main stream of the Beaver Creek and the South Fork of the Beaver Creek join. This is a bona fide mining proposition and has been worked continuously each and every summer for several years. The work on the South Fork of the Beaver consists of exploratory work even to the extent of sinking a shaft 6' sq. by 26' deep to check the gold bearing values of the soil. A ditch approximately 1' wide carries water down the South side of the South Fork for a distance of 600 to 700' when placer mining is in progress. This claim is $4\frac{1}{2}$ miles, and a tiresome climb on foot *From any road.*

E. M. Humphrey.

18563

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

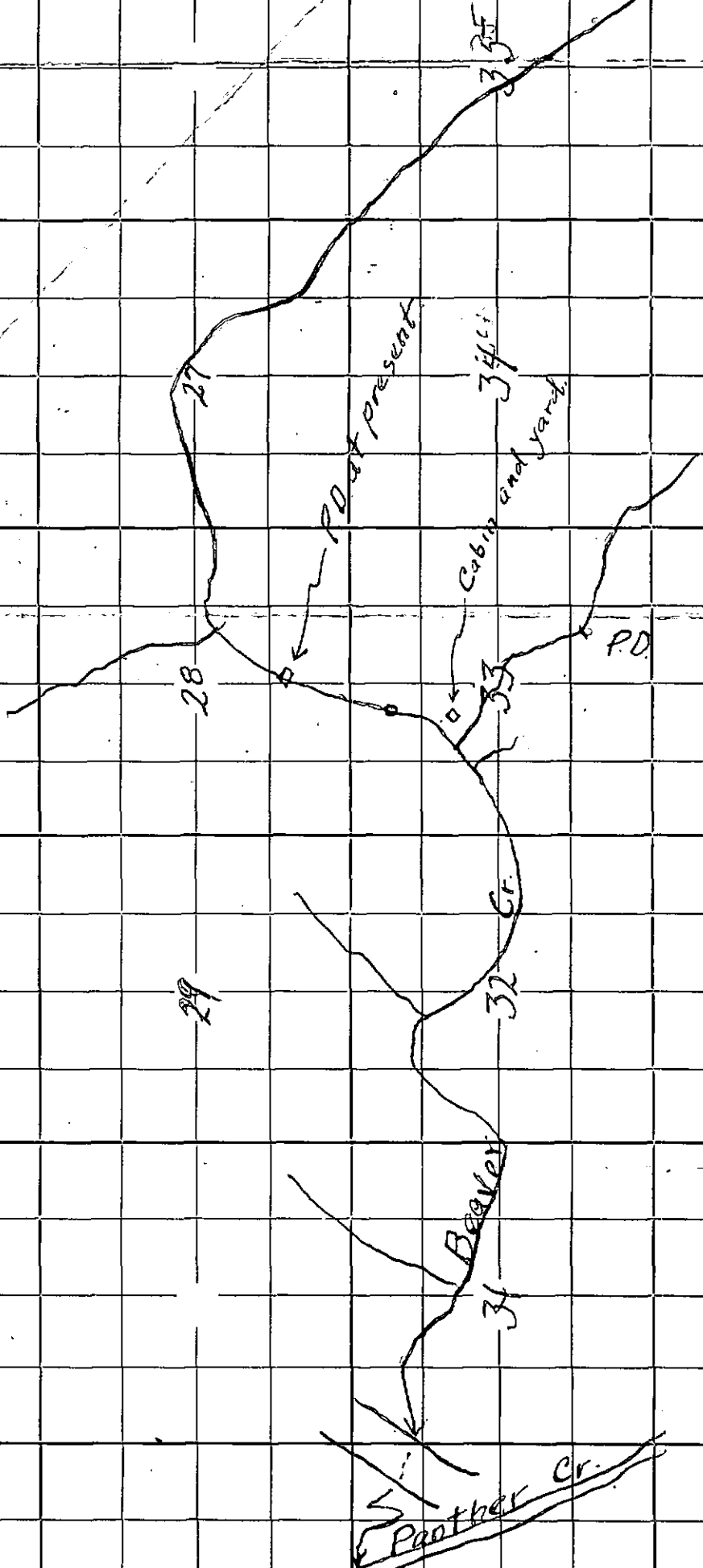
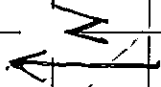
PERMIT NO. 18563

REPORT ON PROOF OF Beneficial use

5 cfs
meek

App.

They are continually moving upstream with their point of diversion and operations as they place mine the stream bed.



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

Permit No. 18563

This proof is for Beneficial use In Water District No. _____

1. Name of applicant Frank and Willard Rood, Shoup, Idaho
2. Source of water supply Beaver Creek and South Fork of Beaver Creek
From South fork Beaver Creek- in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 33, Twp. 23 N., Range 19 E. B.M.
3. Location of point of diversion: From the Main Beaver Creek- NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 33; SW $\frac{1}{4}$ SE $\frac{1}{4}$ & NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 28; SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 27; NW $\frac{1}{4}$ NW $\frac{1}{4}$ & SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 35; All in
T. 23 N. R. 19 E. County of Lemhi

4. Describe works as they exist, giving dimensions and capacities of same: A complete hydraulic
placer mining outfit with a single nozzle and sluice box. 1500 feet of pipe 10 to 12"
in diameter to carry water to hydraulic giant. #1 hydraulic giant manufactured by
Joshua Hendy Mfg. Co. of San Francisco, with a 2 3/4 or 3" nozzle. Flumes 2' wide
and 2' high lined with poles approximately 6" in diameter. These flumes or sluice
boxes are used coupled together in overall length anywhere from 200 to 500 feet.
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 other than irrigation):

Place of use- Unsurveyed Section 33, Township 23 North, Range 19 East, B. M.
(Approximately SW $\frac{1}{4}$ NW $\frac{1}{4}$)

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

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

Remarks: _____

Giant operates a saw mill equipped with a bell saw manufactured in Pleasant City, Kansas.
Blades are 30 to 32" in diameter. Giant is operated in connection with a Pelton wheel
to furnish power for the saw mill and the operation as a winch and also used to move
all equipment, and is especially used for the removal of large boulders. Sluice boxes
are set with a fall of 7" in 12'. 250' of 3" fire hose to be used in connection with
the giant.

This examination was made on the 17 day of August, 1950

(Signed)

E. J. Humphrey

Examiner.

18563

Shovel box maybe from
6500' long.

Begin mining in 1938
Work from mid ^{April} May
until Oct 1st

Pipe is 12 or 14 gage

250' x 3" fire hose

1 saw 32" 3 saws 30" dia

1400 rpm for saw
7 1/2
9800

35' sq x 4 1/2' h. or small
automatic reservoir

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 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.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
DEC 14 1950
Department of Reclamation

Frank & Willard Reed
Shoup, Idaho

Permit No. 18563

Examination for Beneficial use

County Benmi

27-28-33-35

23M-19E

mining (places)

2 main d.

Salmon N.F.

4 mi up Panther Cr

Beaver Cr. No one at
homic those to provide
saddle horse.

Q = 4 cfs from main stream Beaver Cr.
So. Fork

600-700' g ditch above shaft
1200-1400' " " 26" x 6' x 6'

carry all water except high water

This stream is only projected

approx 1/2 mi from

Use 1500 feet of pipe

No 1 Joshua Head of
Kiant low frame

Woggle 2 3/4" or 2" or 3"

operate under 100' head - use

Use giant to operate with
Bethman - present city

to mine with
to operate in which
moving boulders and

Use flume 2' w x 2' h
lined with poles approx
6' d.

flume fall = 7" in 12'

Use all water in
for either the grant or the
shiver

March 13, 1950

Re: Permit No. 18563

Mr. Charles Herndon
Attorney at Law
Salmon, Idaho

Dear Mr. Herndon:

In reply to your letter of March 7, in regard
to Permit No. 18563 in the name of Frank H. Rood:

Our Field Engineer tried to make this inspection
on September 8, 1949, but was unable to do so. He drove
to the end of the road on Beaver Creek, but no one was
home to provide a saddle horse to take him to the tract.

Another attempt will be made to make this in-
spection during the coming season.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn

18563

CHARLES HERNDON
PROSECUTING ATTORNEY
LEMHI COUNTY
SALMON, IDAHO

March 7, 1950

RECEIVED
MAR 10 1950
Department of Reclamation

Department of Reclamation
State of Idaho
Boise, Idaho
Attention: Mark L. Kulp,
State Reclamation Engineer

Re: Frank H. Rood - Permit No. 18563

Gentlemen:

Has final inspection been made on this permit?
If not, what further remains to be done in
order to complete this matter?

Sincerely yours,


Charles Herndon

CH:amw

18563

September 9, 1948

Re: Permit No. 18563

Mr. Charles Herndon
Attorney at Law
Selmon, Idaho

Dear Mr. Herndon:

We acknowledge receipt of your letter of September 7 enclosing affidavit of publication of beneficial use proof under Permit No. 18563 in the name of Frank Rood and Willard Rood.

This, with the depositions previously sent us, completes the proof of beneficial use under this Permit.

Before final action is taken in the 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 as this Department has but one Field Engineer who makes examinations all over the State.

However, Mr. Tolman, Field Engineer for this Department, will try and contact Mr. Frank Rood at the time he makes the examination in order that he may arrange to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt

18563

CHARLES HERNDON
PROSECUTING ATTORNEY
LEMHI COUNTY
SALMON, IDAHO

September 7, 1948.

Department of Reclamation
State of Idaho
Mark R. Kulp,
State Reclamation Engineer
Boise, Idaho.
Attention: Jeanne L. Anderson,
Chief Clerk.

Re: Frank H. Rood - Permit No. 18563.

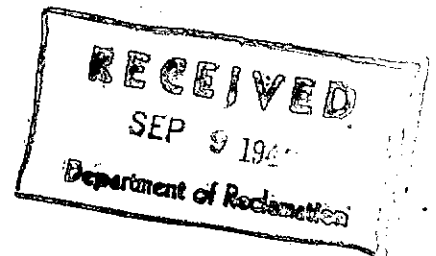
Gentlemen:

Enclosed herewith Affidavit of Publication in the above entitled matter.

Very truly yours,


CHARLES HERNDON

CH:vc
Enclosure:
Affidavit of Pub.



18563

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

Notice is hereby given that at 11 A. M. on the 1st day of June, 1948, at Salmon, County of Lemhi, State of Idaho, before Charles Herndon, Notary Public for State of Idaho, proof will be submitted of the application to beneficial use of 4 cubic feet per second of the waters of Beaver Creek, and 1 second foot from South fork of Beaver Creek in accordance with the terms and conditions of Permit No. 18563 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 Frank Rood and Willard Rood, Sr., Shoup, Idaho.

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

The amount applied to beneficial use is 5 cu. ft. per second.

The place where said water is used At mouth of South fork, 2000 ft. from Northwest corner Section 33, Twp. 23 N., Range 19 E., B. M., and in the SW 1/4 NW 1/4 said Section 33, Twp. 23 N., Range 19 E., B. M.

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

The right to take water from such works is based upon Permit No. 18563.

The source of supply from which such water is diverted is Beaver Creek in Lemhi County, Idaho.

The date of priority which said user is prepared to establish is October 23, 1937.

MARK R. KULP,
Commissioner of Reclamation.
Pub. 5-6-4tc. 18563

Affidavit of Publication

STATE OF IDAHO,
County of Lemhi,

ss.

RONALD BURKE, being first duly sworn, deposes and says that he is one of the printers (publisher) of the RECORDER HERALD, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein,

That the NOTICE OF PROOF APPLICATION
OF WATER TO BENEFICIAL USE, a true
printed copy of which is attached to the margin hereof, has been and was correctly printed and published in the regular and entire issue of every number of said newspaper and not in any supplement thereof or thereto for FOUR
consecutive issues, commencing with the issue dated May 6, 1948
and ending with the issue dated MAY 27, 1948

Ronald Burke

Subscribed and sworn to before me, this 30th

day of July, 1948

Charles Herndon
Notary Public for the State of Idaho,
Residing at Salmon, Idaho.

Publication Fee \$ 11.25

18563

✓
August 31, 1948

Re: Permit No. 18563

Mr. Charles Herndon
Attorney at Law
Salmon, Idaho

Dear Mr. Herndon:

We acknowledge receipt of your letter dated August 6 which reached us yesterday, enclosing depositions of Frank E. Rood in proof of beneficial use under Permit No. 18563.

However, the affidavit of publication which is a necessary part of this proof was not enclosed, and if you have not received this we suggest you take the matter up with the Recorder-Herald.

Very truly yours,

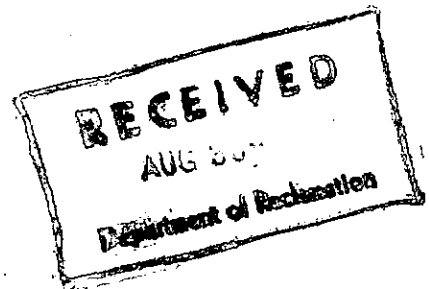
MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt

18563

CHARLES HERNDON
PROSECUTING ATTORNEY
LEMHI COUNTY
SALMON, IDAHO



August 6, 1948

Department of Reclamation
State of Idaho
Boise, Idaho

re: Permit No. 18563 - Frank Rood

Gentlemen:

Enclosed herewith find Deposition of
Holder and Deposition of Witness, John
Boyd and the witness, May Rood in the above
entitled matter.

Very truly yours,


CHARLES HERNDON

enclosures

Deposition of Holder
Deposition of Witness

CH:dg

no aff.

18563

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 18563

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Frank H. Rood, Shoup, Idaho - farming and mining - Shoup, 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. Frank H. Rood *INDIVIDUAL

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

Ans. Permit No. 18563 Priority Date - October 23, 1937.

Ques. 4. State source of water supply and give exact location of point of diversion. Beaver Creek
Ans. From Main Fork of Beaver Creek, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 33, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 27, NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 35, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 35, all in Twp. 23 N. R. 19 E. B. M. South Fork Beaver Creek, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 33, Twp. 23 N. Range 19 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. Pole, board and earth and rock wing dams-ditches will carry more than the five cubic feet per second of time requested in permit.

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. Placer mining - hydraulic giant and washing plant - in approx. unsurveyed Sec. 33, T. 23 N. R. 19 E. B. M.

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

Ans. For Placer mining - hydraulic giant and washing plant.

18563

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

Ans. Five second feet of water; being five cubic ft. per second of time measured under a four inch pressure, or 250 miners 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. ~~/16 days of mining claims/~~ same

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

Ans. Used since 1937, every summer season - more than 5 cubic feet of water per second of time measured under four inch pressure.

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 - except as herein stated.

(Sign) Frank H. Reed

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 Salmon, County of Lemhi,

State of Idaho, on this 30th day of July, A. D. 1948.

Charles Hendon
Notary Public for State of Idaho
Residing at Salmon, Idaho.

My commission expires Feb. 14, 1951.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 18563

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. Mae Rood, over 21 years, farming - Shoup, Idaho.

Ques. 2. Are you acquainted with Frank H. Rood, the holder of Permit No. 18563? How long have you known him and where does he reside?

Ans. Yes. Over 30 years - near Shoup, Idaho.

Ques. 3. Have you read or heard read said Permit No. 18563, 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.

From main fork of Beaver Creek, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 33, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28; SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 27, NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 35, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 35, all in Township 23 N. R. 19 E. B. M.
South Fork Beaver Creek SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 33, Twp. 23 N. Range 19 E. B. M.

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. Five second feet being five cu. ft. per sec. of time measured under four inch pressure.

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. Placer mining-hydraulic giant and washing systems.

on Beaver Creek in approx. unsurveyed T. 23 N. R. 19 E. B. M.

in Lemhi County, Idaho.

18563

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

Ans. Placer mining - hydraulic giant and washing systems.
Five cu.ft. per sec. of time measured under four inch pressure.

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. nil

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

Ans. 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. Several times each year since 1938.

(Signed)

Mae Rood

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 Salmon, County of Lemhi,

State of Idaho, on this 30th day of July, A. D. 19 48

Charles Henderson

Notary Public.

My commission expires Feb. 14, 1951

For State of Idaho;
Residing at Salmon, Idaho.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 18563

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 Boyd, over 21 years, County Auditor & Recorder, Challis, Idaho

Ques. 2. Are you acquainted with Frank H. Rood, the holder of Permit No. 18563? How long have you known him and where does he reside?

Ans. Yes Over 25 years. Resides near Shoup, Idaho

Ques. 3. Have you read or heard read said Permit No. 18563, 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.

From Main Fork of Beaver Creek, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 33, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 27, NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 35, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 35, all in Twp. 23 N. R. 19 E. B. M.
South Fork Beaver Creek, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 33, Twp. 23 N. Range 19 E. B. M.

Conveyed by ditches, small wing dams.

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. Five second feet of water being 5 cubic ft. per sec. measured under 4 in. pressure.

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. Placer Mining -hydraulic giant and washing systems.

On Beaver Creek in Lemhi County, Idaho; in unsurveyed Approx.

sec. T. 23 N. R. 19 E. B. M.

18563

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

Ans. Placer mining -hydraulic-5 cu ft.per sec.of time measured under
four inch pressure.

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. nil

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

Ans. None -except as herein stated.

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. 1938-1939 dug ditches; observed operation every year since.

(Signed)

John Boyd

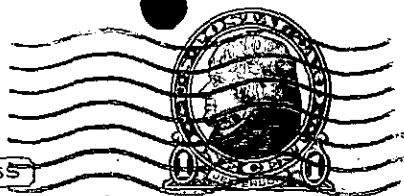
I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Salmon County of Lemhi State of Idaho, on this 30th day of July, A. D. 19 48.

Charles Herndon

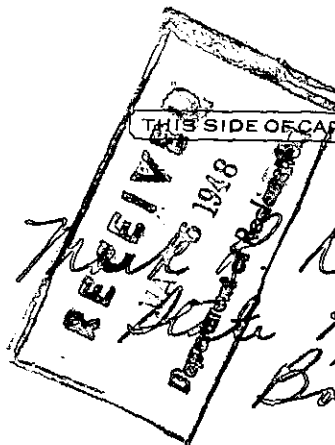
Notary Public.

My commission expires Feb. 14, 1951. For State of Idaho; Residing at Salmon, Idaho.

SALMON
MAY 4
8 30PM
1948



THIS SIDE OF CARD IS FOR ADDRESS



Kulp
Reclamation Engineer
Boise, Ida.

Salmon, Idaho
May 4, 1948

Dear Mr. Kulp-

This is to acknowledge receipt
of notice for publication for
Charles Hudson - Salmon - for
four consecutive weeks beginning
May 6 - 1948

Ronald Burke
Records Clerk
18563

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Date: May 3, 1948

Re: Permit No. 18563

The Recorder-Herald

Salmon, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to June 1, 1948, the date set for proof, the expense of the publication to be paid by the applicant, per Charles Herndon, of Salmon, 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,

MARK R. KULP

State Reclamation Engineer

By

Chief Clerk

18563

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

Notice is hereby given that at... **11**... A. M. on the **1st**... day of... **June**..., 19**48**,
 at... **Salmon**..., County of... **Lemhi**..., State of Idaho, before
Charles Herndon, Notary Public for State of Idaho..., proof will be submitted of the
 application to beneficial use of... **4**... cubic feet per second of the waters of **Beaver Creek, and**
1 second foot from South / fork of Beaver Creek
 in accordance with the terms and conditions of Permit No. **18563**..
 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.....
Frank Rood and Willard Rood, Sr., Shoup, Idaho

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

The amount applied to beneficial use is **.5 & cu. ft. per second.** ..

The place where said water is used (for irrigation, give full and accurate description of the
 lands irrigated), ~~In approximately Sections 27, 28 and 30, Township 23 North, Range 19,~~
~~E. B. M., in Lemhi County, Idaho.~~ At mouth of South fork, 2000 ft. from Northwest
 corner Section 33, Twp. 23 N., Range 19 E., B.M., and in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ said Section
 33, Twp. 23 N., Range 19 E., B.M.

The name of the canal or ditch or other works by which said water is conducted to such place
 of use is **Dawn of Tomorrow Placer Claim Ditch.** ..

The right to take water from such works is based upon Permit No. **18563** ..

The source of supply from which such water is diverted is .. **Beaver Creek in Lemhi**..
County, Idaho ..

The date of priority which said user is prepared to establish is... **October 23, 1937.** ..

MARK R. KULP

Commissioner of Reclamation.

18563

May 3, 1948

Re: Permit No. 18563

Mr. Charles Herndon
Attorney At Law
Salmon, Idaho

Dear Mr. Herndon:

We have corrected the notice of beneficial use proof to be made on June 1, 1948 under Permit No. 18563, Frank Rood and Willard Rood, Sr., in accordance with the permit itself.

A copy of the notice has been sent to the Recorder Herald of Salmon, Idaho, with instructions to publish it once a week for four consecutive weeks prior to that date and to send you the affidavit of publication together with statement of costs.

We enclose herewith the forms of deposition to be used in making this proof and at the time set Mr. Rood should appear before you with two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, for the purpose of executing the depositions.

Very truly yours,

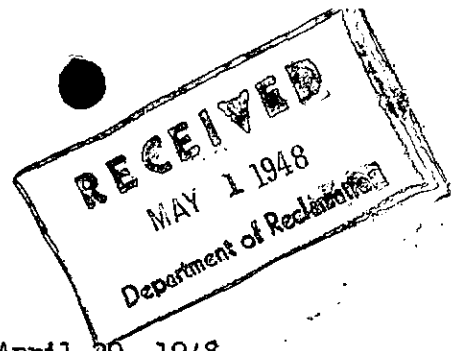
MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/dm
Enc.

18563

CHARLES HERNDON
PROSECUTING ATTORNEY
LEMHI COUNTY
SALMON, IDAHO



April 29, 1948.

Department of Reclamation
State of Idaho
Boise, Idaho.
Attention: Jeanne L. Anderson.

Re: Frank Rood and Willard Rood, Sr.

Gentlemen:

Frank Rood did not have a copy of the permit and hence the Notice which I sent to you is incorrect. It should correspond exactly with the permit since there has been no change in either the amount or place of use and Mr. Rood desires to make proof both on the 4 second feet from Beaver Creek and the 1 second foot on the South Fork of Beaver Creek. The point of use is as set forth in the permit.

Will you therefore please change the Notice of Publication which was sent to you accordingly or forward new Notices to the undersigned?

Your form letter is enclosed.

Very truly yours,

CHARLES HERNDON

CH:vc
Enclosure:
Form letter.

18563

18563
✓

April 26, 1948

Mr. Charles Herndon
Attorney At Law
Selmon, Idaho

Dear Mr. Herndon:

We are in receipt of your letter of April 22, 1948, enclosing duplicate notice of beneficial use proof to be made on June 1, 1948 under Permit No. 18563, in the name of Frenk Rood and Willard Rood, Sr.

In checking this notice with our records we find that the permit not only includes 4 second feet from Beaver Creek but 1 second foot from the South Fork Beaver Creek. Is it your intention to only make proof on the 4 second feet from Main Beaver Creek?

We also note that the place of use is given as "approximately Sections 27, 28 and 30, Township 23 N., Range 19 E. B.M.". However, the permit gives the point of use as follows: "Mouth of South Fork 2000 feet from NW $\frac{1}{4}$ Section 33, Township 23 N., Range 19 E. B.M. and in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 33".

If there has been a change in the place of use, application for amendment should be filed in this Department on the form enclosed.

We also enclose Form 11, which is authorization for us to have the notice published at permit holder's expense in the designated county newspaper.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/dm
Enc.

18563

CHARLES HERNDON
PROSECUTING ATTORNEY
LEMHI COUNTY
SALMON, IDAHO

April 22, 1948.

Commissioner of Reclamation
State of Idaho
Boise, Idaho.

Re: Willard Rood, Sr.- Frank Rood.- Permit #18563.

Gentlemen:

Mr. Rood has requested me to assist him in the submission of beneficial use proof. Notice for publication is enclosed herewith. If further data is required please forward the proper forms to the undersigned.

The publication costs may be billed to me.

Very truly yours,

Charles Herndon
CHARLES HERNDON

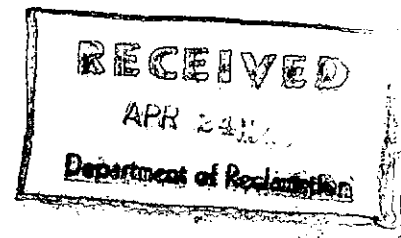
CH:vc

Enclosure:

Notice (in dup.)

*4 of 5 main Besser
1 of 5 for*

*Use - minute 2 2 1/2 for 2000 ft.
from NW 1/4 33.237.198 in
SW NW " " "*



18563

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) April 22, 1948.

(P. O.) Salmon, Idaho.

STATE RECLAMATION ENGINEER:
TO THE COMMISSIONER OF RECLAMATION

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Recorder-Herald of Salmon, Idaho, published in
the county in which the works are situated.

Charles Henderson

(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.

18563

DECEMBER 1, 1942

RE: PERMIT #18563

MR. WILLARD ROOD
Shoup
Idaho

Dear Mr. Rood:

In looking over our correspondence in connection with the above captioned Permit - it looks like we failed to inform you relative to Beneficial Use Proof which in your letter of October 31, you stated that you wished to make final Proof and receive your License.

Under the terms of said Permit - Beneficial Use Proof is not due until December 1, 1943. However, Proof can be submitted at any time.

We are enclosing herewith instructions and forms of publication for you to fill out and return to this office, after which proof forms will be mailed to you for the purpose of submitting said proof.

Very truly yours,

E. V. BERG
COMMISSIONER OF RECLAMATION

BY: _____
ROY W. THOMPSON
DEPUTY COMMISSIONER

RWT:LGC
ENC:

18563

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Mr. Willard Rood
Shoup, Idaho

BOISE November 28, 1942

Dear Sir:

I enclose herewith blank notice ¹⁸⁵⁶³ for proof of application of water to beneficial use under your Permit No. _____, which should be filled out and returned to this office at least 40 days before the date upon which you wish to make proof. The proof must be submitted before a notary public or other officer authorized by law to administer oaths. The date for proof, as set out in your permit, is ^{Dec. 1, 1943} _____, 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,
E.V. Berg

commissioner of Reclamation
By Roy.W.Thompson
Deputy Commissioner.

Note, Notice of publication must appear in four weekly issues of the County paper therefore it is necessary to set the date for making proof far enough in advance to allow for publication.

18563

NOVEMBER 14, 1942

RE: PERMIT #18563

MR. WILLARD ROOD
Shoup
Idaho

Dear Mr. Rood:

We are enclosing herewith Certificate of Completion of Works issued on the above numbered Permit to appropriate Five (5) second feet of waters from the Main Fork of Beaver Creek and South Fork of Beaver Creek, County of Lemhi, from main fork of Beaver Creek, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 33, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 28, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 28; SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 27, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 35, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 35, all in Township 23 North, Range 19 E.; South fork Beaver Creek, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 33, Township 23 North, Range 19 E. to be used for hydraulic mining purposes.

This Department's receipt number 18969 covering the fee for Completion of Works of \$5.00 is also enclosed herewith.

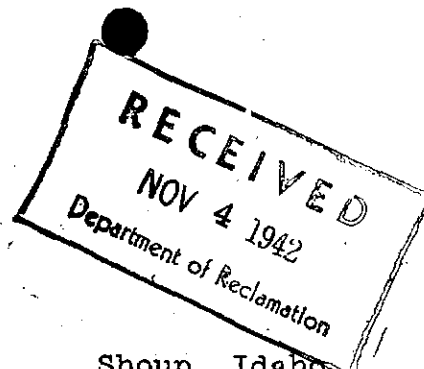
Very truly yours,

E. V. BERG
COMMISSIONER OF RECLAMATION

BY: _____
ROY W. THOMPSON
DEPUTY COMMISSIONER

RWT:LGC
ENC: 2

18563



Shoup, Idaho
October 31, 1942

Commissioner of Reclamation
Department of Reclamation
Boise, Idaho

Dear Sir:

Re: Permit No. 18563

I am enclosing herewith Affidavit for Proof of Completion of Work, together with a check in the amount of \$5.00, the fee required for a Certificate of Completion.

We wish to make final proof and obtain a license for the amount of water actually in use. Will you please send us information in regard to this last proof?

Yours very truly,

Willard Rood

18563

Permit No. 18563STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Lester

} ss.

Frank E. Willard Poole Sr., 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. 18563, and that his postoffice address is Shoup, Lemhi Co
State of IdahoSecond: That the name of the stream from which said water is to be directed is Beaver CreekThird: That the point of diversion of said water is various points on main Beaver Cr. & one point on the South Fork of Beaver Cr.Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by December 1st, 1942Fifth: That the use for which said water is intended is Hydraulic Placer MiningSixth: That on the date above mentioned, the works constructed under said permit were (~~or were not~~) fully completed and consisted of the following:1. Kind of works: Series of small Reservoirs, Dams, ditches & pipe line
(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:

(a) Height of dam 4 feet, length of dam at top 40 feet, length of dam at bottom 30 feet. Material used in construction wood & earth

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

(b) Capacity of reservoir 120 acre feet.(c) Size of headgate: Width 3 feet, height 2 feet.(d) Conduit pipe width at bottom 12" pipe feet, width at water line 13"
(State whether ditch, flume or pipe.)
feet, depth of water 1 feet; diameter of pipe 12" + 10" inches, average grade per mile is 10% feet. Length of conduit is 1850 ft miles.Seventh: That said works are capable of conducting to the place of intended use 250 second feet of water.Eighth: That water appropriated under said permit is available for 340 to 400 acres of land described as follows: Devel's Dam, Boyd, Maebelle, connecting Rod and Sawm & Tomorrow Placer claims, Mackinaw Mining Dist, Lemhi County, IdahoNinth: Remarks: That The above pipe line, flumes, ditches and reservoirs, are used until it becomes necessary to move up the creek farther, when new ones are built & the pipe line also moved up the creekFrank E. Willard Poole Sr.
(Sign here)Subscribed and sworn to before me this 31st day of Oct, 1942

My commission expires

John Boyd
Lester Co. Recorder Notary Public.O.H.
R.V.T.

18563

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

October 19, 1942

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Frank & Willard Road
Shoup, Idaho

Boise, Idaho,

Dear Sir:—

Under the terms of your permit No. 18533 you are required to complete your diversion works on or before December 1, 1942. 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,

E. V. BERG
Commissioner of Reclamation.

18563

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 18563

Boise, Idaho, December 7, 1937

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.

Frank Rood and Willard Rood, Sr.
Shoup, Idaho

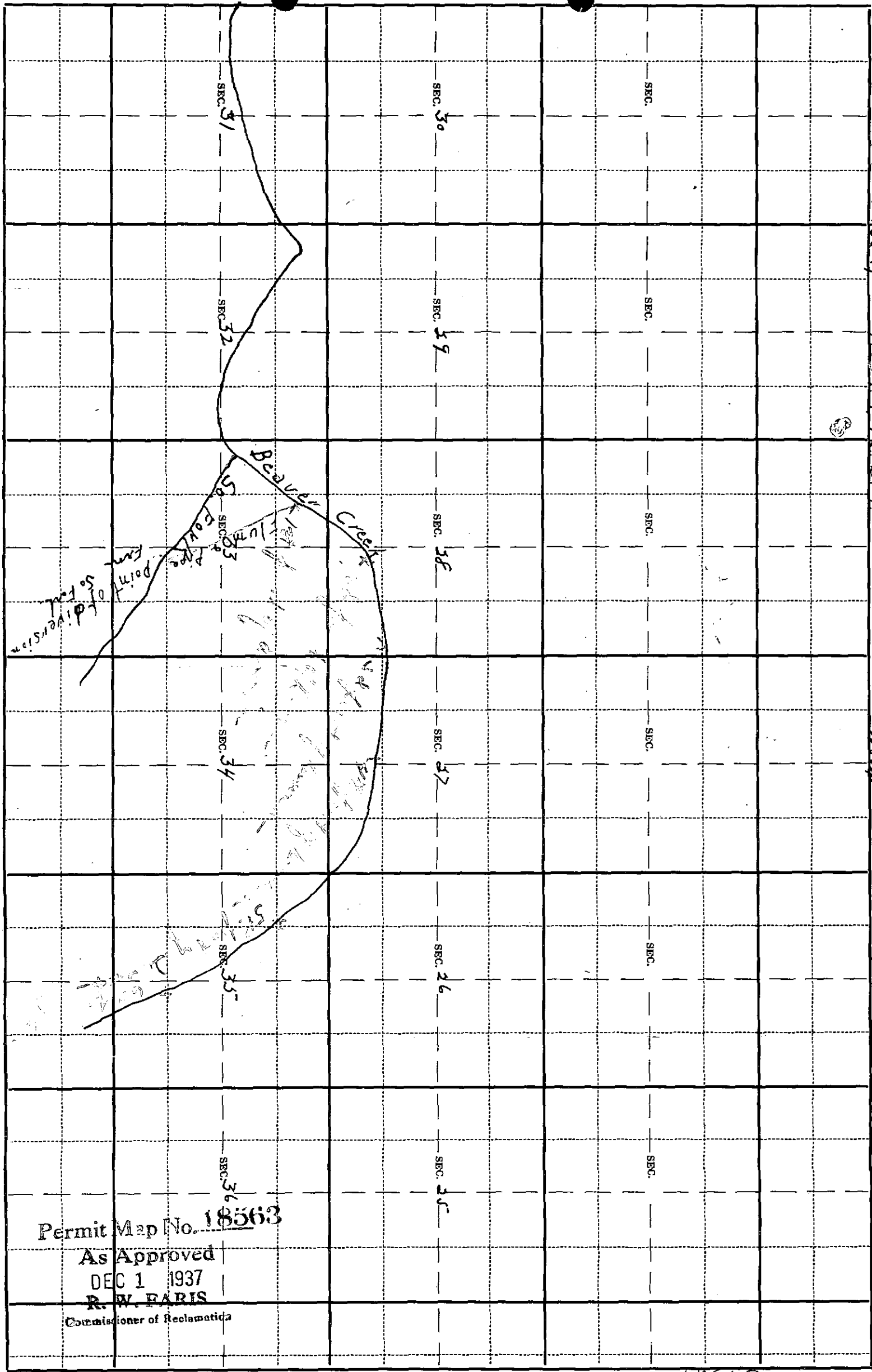
R. W. FARIS
Commissioner of Reclamation.

Encl.
Office Receipt for \$6.00.

18563

NAME OF APPLICANT Frank Rood & Willard Rood

FORM NO. 0



18563
2588
Challis, Idaho.
November 3, 1937

Dept. of Reclamation,
Boise, Idaho.

Mr. R. W. Faris, Com.,
Dear Sir:

Replying to your letter of Nov. 2, 1937, asking for more detail information in regard to the Application for water Permit of Frank Rood and Willard Rood Sr.

They desire to change the quantity of water claimed from four second feet to five second feet, to be diverted four se. ft. from Main Beaver Creek and 1 se. ft. from the South Fork of Beaver Creek and am enclosing an additional 25¢ fee in cash.

They will have only the one point of diversion from the So. Fork, this point will be approx. 200 ft. east of the NW. corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{2}$ of Sec. 33, Twp. 23 N of Range 19 E. B. M.

On the main fork of Beaver Creek it will be necessary to change the point of diversion several times in working the ground up the creek and according to the map each point of diversion will be approximately as follows:

First Point:	in the	NE $\frac{1}{4}$	of the	NW $\frac{1}{4}$	Sec. 33,	Twp. 23 N.,	R. 19 E.
Second Point:	"	SW $\frac{1}{4}$	"	SE $\frac{1}{4}$	" 28	"	"
Third Point:	"	NE $\frac{1}{4}$	"	SE $\frac{1}{4}$	" 28	"	"
Fourth Point:	"	SE $\frac{1}{4}$	"	SW $\frac{1}{4}$	" 27	"	"
Fifth Point:	"	NW $\frac{1}{4}$	"	NW $\frac{1}{4}$	" 35	"	"
Sixth Point:	"	SW $\frac{1}{4}$	"	SE $\frac{1}{4}$	" 35	"	"

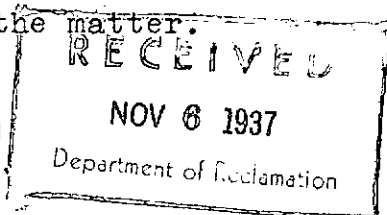
Beaver Creek is in a narrow canyon and in some places it is very rough, therefore I have given you approximately the different locations of the points of diversion, to the very best of my knowledge, the small dams necessary will be only large enough to raise the water a few feet to convey it to flume and pipe line.

I believe I have supplied the additional information requested in your letter.

Thanking you for your courtesy in the matter.

Yours very truly

John Boyd



18563

18563

November 2, 1937

Re: Application for Permit
Frank Rood and Willard Rood, Sr.

JOHN BOYD
Challis, Idaho

Dear Sir:

The above application is herewith being returned to you for more detailed information with regard to certain particulars.

Under Paragraph 3, kindly specify the quantity of water claimed from each of these streams. In other words, the total quantity claimed is four (4) second feet, but you must state the amount to come from each of them so that the records can be properly indexed.

Furthermore, you must state the point of diversion in each instance. There isn't sufficient space for this information under Paragraph 4, so you may place it under Remarks on the 3rd page of the application.

Will it not be necessary to have either a headgate or a dam at the point of diversion to get the water out of the natural channel of the stream?

When you have supplied this information, return the application to be handled in the usual manner.

Yours very truly,

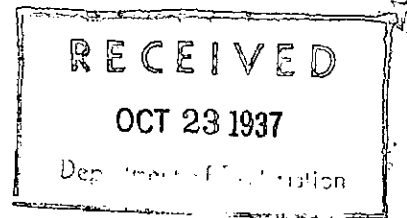
PAUL L. HENRY,
Deputy Commissioner

PLH/ci
Enc.

18563

C. L. Lavin, Idaho.
Oct. 21, 1937

Mrs. P. W. Harris,
Com. of Reclamation,
Boise, Idaho.



Dear Sir:

I am enclosing application for Permit of Frank Poole and Willard Poole Sr. together with check for \$5⁰⁰ fees.

Their intention is to start working at the point where the South Fork empties into the main creek and work up the main creek to the first point of diversion and to convey the waters of the South fork by flume & ditch to this point. After the ground has been mined to the first point of diversion it would be necessary to move up the creek another 2000 ft or so to a second point of diversion and so on for approximately 6 miles from the fork of the creek, in most cases the water can be conveyed by pipe and returned to the creek at lower end of pipe. This creek is narrow, I would say about 300 or 400 feet from the base of the mountain to the opposite base. The Pooles have the creek located from the forks to the head of the main creek and want to protect themselves on the water

18563

They do not receive their mail very regular
therefore if there is any questions or
correspondence to be had in this matter, it
would be appreciated if the same be mailed
to me at C Lallier and I can get in
touch with them by telephone.

This creek is on unimproved ground.

Yours very truly.

John Boyd.

Box 201

18563
Application for Permit

July 14, 1937

Mr. Frank Rood
Shoup, Idaho

Dear Sir:

Under date of July 3rd we received your letter accompanied by two water location notices, wherein you seek to appropriate the waters of the South Fork of Beaver Creek and also the waters of the Main Fork of Beaver Creek in Lemhi County for mining purposes.

We are herewith returning these notices, as they have not been used since 1903, at which time the old location system was superseded by what is known as the "Permit Law".

We are also herewith enclosing the regular form of application for appropriating the public waters of the State of Idaho, together with a pamphlet of instructions for your convenience. It is suggested that you read the pamphlet carefully before you attempt to make out the application.

You may include your appropriation of water from the South Fork of Beaver Creek as well as that from the Main Fork of Beaver Creek in a single application, but you must specify the point of diversion in each instance.

In cases where more than ten second feet of water is claimed, an application must be accompanied by a tracing and a blueprint which shows the streams in question, the point or points of diversion, the place of use, and the point of return of the water to the stream, together with any ditches or pipe lines to be constructed. These notices set forth a total of 1200 inches to be diverted from the two streams, which is equivalent to 24 second feet of water.

It would probably be well for you to consult Mr. A. E. Ferguson, Civil Engineer at Salmon, or some other engineer in that locality.

Very truly yours,

Deputy Commissioner of Reclamation

PLH:jl
Encl.

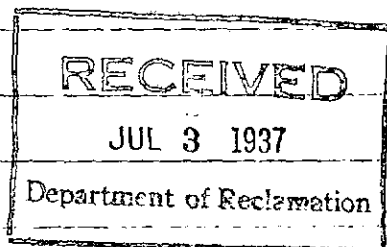
18563

Department of Reclamation
 Boise Idaho

Dear Sirs: Please find two
 notices of Water location
 which I am informed
 is to be sent to your
 office for local further
 action

Thank you

Frank Good
 Shoup Idaho



18563

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

Notice is hereby given that at 11 A. M. on the 1st day of June, 1948, at Salmon, County of Lemhi, State of Idaho, before Charles Herndon, Notary Public for State of Idaho, proof will be submitted of the application to beneficial use of 4 cubic feet per second of the waters of Beaver Creek, and 1 second foot from South fork of Beaver Creek in accordance with the terms and conditions of Permit No. 18563 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address

May 6 - 1948

d of the person or corporation holding
1 said permit are Frank Rood and Willard Rood, Sr., Shoup, Idaho.

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

The amount applied to beneficial use is 5 cu. ft. per second.

The place where said water is used At mouth of South fork, 2000 ft. from Northwest corner Section 33, Twp. 23 N., Range 19 E., B. M., and in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ said Section 33, Twp. 23 N., Range 19 E., B. M.

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

The right to take water from such works is based upon Permit No. 18563.

The source of supply from which such water is diverted is Beaver Creek in Lemhi County, Idaho.

The date of priority which said user is prepared to establish is October 23, 1937.

MARK R. KULP,
Commissioner of Reclamation.

Pub. 5-6-4tc.

18563

Mail to
Willard Road
Strong Adair
LA