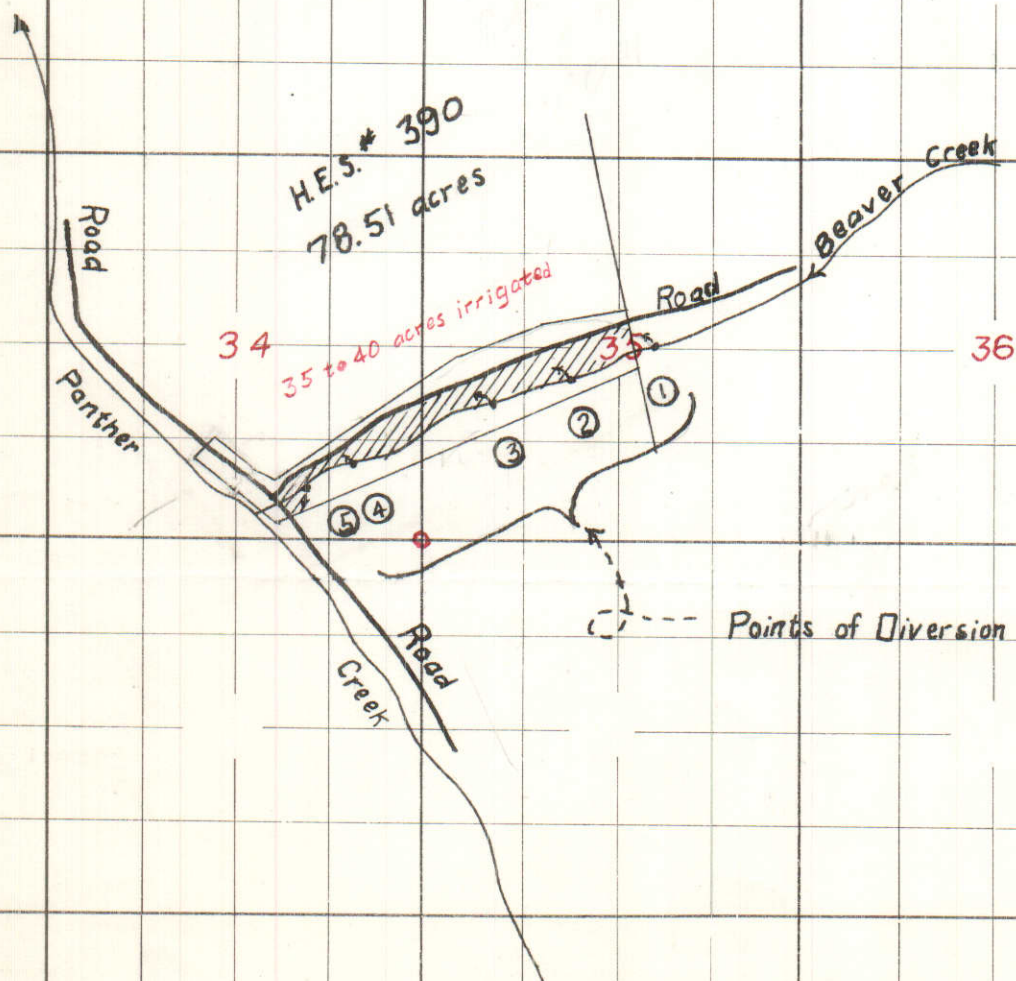


19.00
37718.55

T. 23N., R. 18E.



Jan 3-57.
E. M. Humphrey.

Traced from Platin
land & Survey Office



NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at two P. M., on the 6th day of May, 1948, at Salmon, County of Lemhi, State of Idaho, before C. WALKER LYON, Notary Public, proof will be submitted of the application to beneficial use of three cubic feet per second of the waters of Beaver Creek in accordance with the terms and conditions of Per-

Affidavit of Publication

STATE OF IDAHO,
County of Lemhi,

ss.

mit No. 18961 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are: Magnus Bevan, North Fork, Idaho.

The use to which said water has been applied is irrigation of land.

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

The place where said water is used H. E. Survey No. 390, consisting of approximately seventy acres in Township 22 North, Range 18 East (Un-surveyed)

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

The right to take water from such works is based upon Permit No. 18961.

The source of supply from which such water is diverted is Beaver Creek.

The date of priority which said user is prepared to establish is April 10, 1940.

MARK R. KULP
State Reclamation Engineer.

Pub. 4-1-4tc

BURKE, being first duly sworn, deposes of the printers (publisher) of the RECORDER HERALD, weekly at Salmon, Lemhi County, Idaho, and of general

OF PROOF APPLICATION
to Beneficial use a true

attached to the margin hereof, has been and was cor-
rected in the regular and entire issue of every number of

any supplement thereof or thereto for Four

ending with the issue dated APRIL 1, 1948

and ending with the issue dated APRIL 22, 1948

Ronald Burke

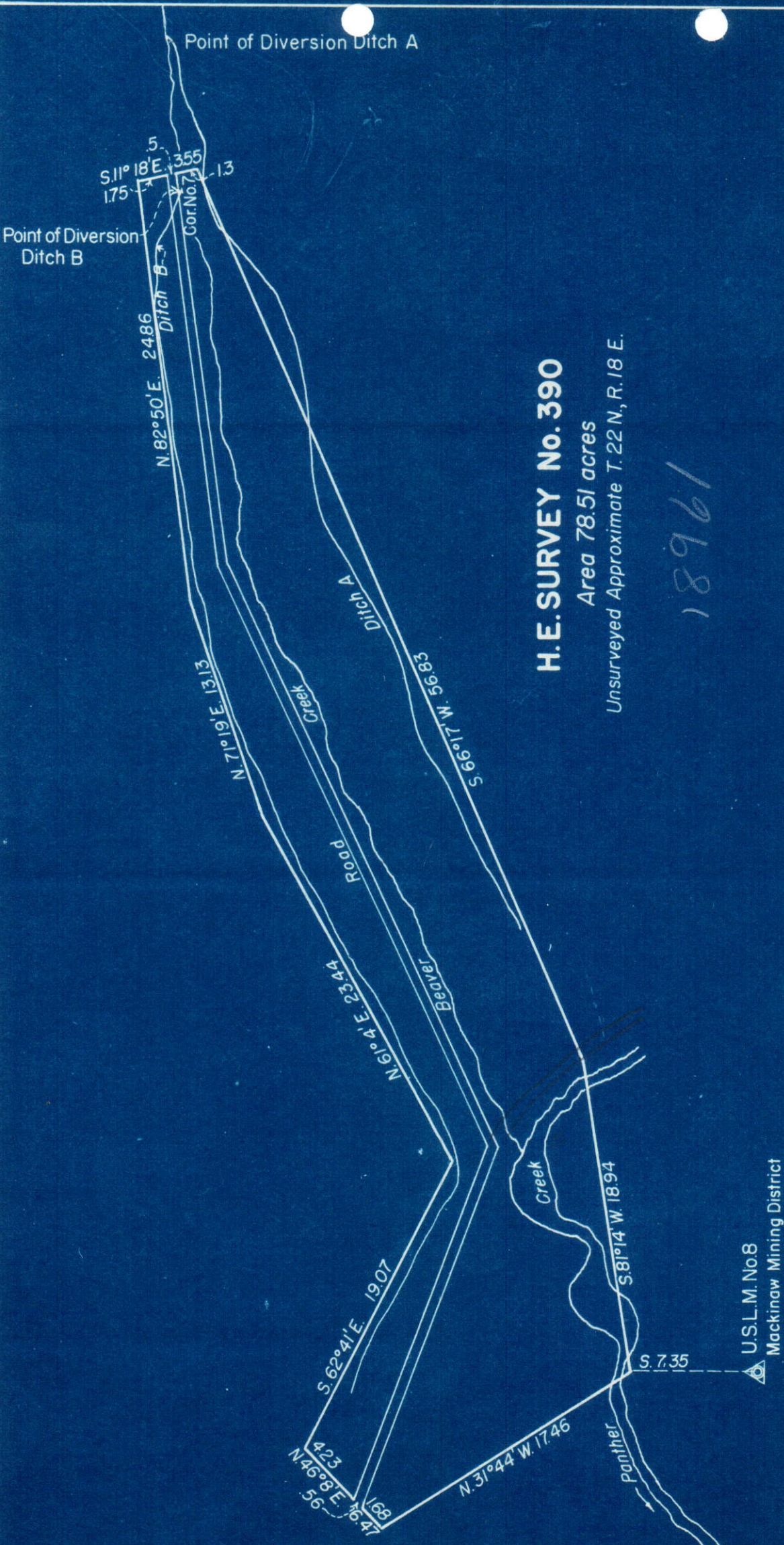
Subscribed and sworn to before me, this 6th

day of May, 19 48

Publication Fee \$ 10.50

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

18961



H.E. SURVEY No. 390

Area 78.51 acres
 Unsurveyed Approximate T. 22 N., R. 18 E.



MAP accompanying the Application of
MAGNUS BEVAN
 To Appropriate Water from Beaver Creek
 IN LEMHI COUNTY, STATE OF IDAHO

Drawn and Traced by A.C.M. 4:10:40

SCALE: 1 INCH = 500 FEET

400410

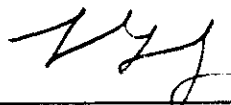
INTER-DEPARTMENT MEMO — 1

FROM Glen

DATE 11-7-84

TO File

SUBJECT — The township for A. d. & pl. u.
should be T23N rather than T22N
shown on lic. (Determined from
county maps & quad. sheets)



SIGNATURE

State of Idaho
License and Certificate of Water Right

Water License No. 18961

Amount 0.8 second foot

Water District No. _____

Priority April 12, 1940

THIS IS TO CERTIFY that **MAGNUS BEVAN**
of **North Fork, Idaho**, made application for a permit to appropriate the
public waters of the State of Idaho, dated **April 12**, 19 **40**; that Permit No. **18961**
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
8 second feet, was issued thereunder on **April 29**, 19 **43**, showing that said works
were completed on the **24th** day of **April**, 19 **43**; and that on the **6th**
day of **May**, 19 **48**,

MAGNUS BEVAN

of **North Fork**, State of **Idaho**, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of **Beaver Creek**
, a tributary of **Panther Creek**, for the purpose of **irrigation**
, under Use Permit No. **18961** 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 **4534**, on the **29th** day of **March**, 19 **50**;

The right hereby confirmed dates from **April 12**, 19 **40**;

The Point of Diversion is located in the **Salmon National Forest**, in unsurveyed
~~in the~~ **Sec. 34**, Tp. **22 N.**, R. **18 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 **0.8** cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
	H. E. Survey No. 390, in approximately Sections 34 and 35, Township 22 North, Range 18 East, B.M., Unsurveyed.				

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
29th day of **March**, 19 **50**.

MARK R. KULP

State Reclamation Engineer

(SEAL)

75 2095

N^o 18961
75-2095

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

Application No. 26371
Permit No. 18961
District No.

Allen C. Merritt
Salmon, Idaho

1. Name of Applicant: MAGNUS BEVAN
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: Three (3) cubic feet per second. Ditch A- 2 cu.ft.per sec.
Ditch B-1 " " "
3. Source of water supply: Beaver Creek which is a tributary of Panther Creek
(a tributary of Salmon River)
Corner # 7 H. E. Survey No. 390, Unsurveyed Twp. 22 N., Range 18 E., B.M.
4. Location of point of diversion: (A) 450 ft. Easterly from/ ~~feet distant from the~~
(B) 100 ft. Northwesterly from said Cor. # 7, on unsurveyed land in Salmon Nat'l. Forest
corner of Section , T. , R. , B. M., and is the
of Section , T. , R. , B. M., County of Lemhi
5. Water is to be used for: Irrigation
6. If for mining, milling, power or manufacturing purposes, give:
(a) Point of use of water: feet distant from corner of Section
T. , R. , B. M., in the of Section , T. , R. , B. M.
(b) Amount of power generated: H. P., under feet head.
(c) Water is to be returned to at a point feet
distant from the corner of Section , T. , R. , B. M., in the
of Section , T. , R. , B. M.
7. Estimated cost of works: \$ 300.00
8. Kind of works: Two ditches, designated "A" and "B"
9. Height of dam feet; length of dam at top feet; length of dam at bottom
feet; material used in dam:
10. Size of headgate: Width (A) 3 ft. feet; height 1 ft. --feet.
(B) 2 ft. 1 ft.
11. Ditch: Width at bottom (A) 3 ft. feet; width at water line (A) 4 ft. feet; depth of water (A) 0.6 ft.
(B) 2 ft. (B) 3 ft. (B) 0.5 ft.
feet; dimensions of flume:
Diameter of pipe inches; length of conduit (A) 0.5 miles miles.
(B) 0.75 miles
Average grade per mile "A" and "B" 6.0 feet.
12. The time required for the completion of such work is three years.
13. The time required for the complete application of the water to the proposed use is five 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.

MAGNUS BEVAN

Applicant.

By

Allen C. Merritt

Agent.

Date of first receipt at Department of Reclamation: 10:00 A. M. April 12, 1940

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 18961

Recorded in Book 69 Page 18961 Approved April 15, 1940

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 June 14, 1940

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 **October 15, 1941**

The whole of said work to be completed on or before April 15, 1943

Beneficial use of water appropriated in accordance herewith, to be made on or before April 15, 1948

Witness my hand this 15th day of April, 1940

JAMES SPOFFORD

Commissioner of Reclamation.

IN TESTIMONY WHEREOF, We C. A. BOTTOLFSEN Governor of the State of Idaho, and GEO. H. CURTIS
Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and have
caused the Great Seal of the State of Idaho to be hereunto affixed, this 15th day of April 19 40

Countersigned:

STATE OF IDAHO

(SEAL

By GEO. H. CURTIS

Secretary of State.

By C. A. BOTTOLFSSEN

Governor.

Remarks: Owing to the porous nature of the land two second feet is applied for for use on the southerly side of Beaver Creek which traverses the tract, and one second foot for the northerly side of Beaver Creek.

14.

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
			Land is located on Forest Homestead Survey No. 390 referred to accompanying map. Approximately 20 acres is located north of Beaver Creek Approximately 50 acres is located south of Beaver Creek Total Number of Acres to be Irrigated - - - - - 70 PERMIT NO. 18961 Certificate of Completion of Works To All Whom it May Concern: This is to certify that MAGNUS BEVAN, of Shoup, County of Lemhi, and State of Idaho, the holder of Permit issued upon Application No. 26371, bearing date of priority of April 12, 1940, authorizing the diversion of Three feet of the waters of Beaver Creek, a tributary of Panther Creek, which is a tributary of Salmon River, County of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for conveying to the place of intended use Three (3) second feet of the waters of Beaver Creek; that the position of said waters are located (A) 450 feet Easterly from Corner # 7 of H. E. Survey No. 390; and (B) 100 feet North from Corner # 7 of said Survey; on unsurveyed land in Salmon National Forest, Lemhi County, Idaho; and that the lands to be irrigated by the use of said water are described as follows, to-wit: Lands located on Homestead Entry Survey approximately 70 acres. Witness my hand this 29th day of April, A. D. 1943. Proof of completion of works made April 24, 1943 Certificate of Completion of Works issued April 29, 1943 JAMES SPOTFORD State Reclamation Engineer COPIES ISSUED FOR D. K. SEC. FF. P. 4534																

WATER RIGHT NUMBER 75-2095

OWNER LAST NAME - BEVAN

ADDRESS LINE 1 -

ADDRESS LINE 3 -

SOURCE - BEAVER CREEK

STAGE - LICENSE

TOTAL DIV. VOLUME -

DIVERSION POINT - NESW 35 23N 18E LOT

FROM - TO -

USE - IRRIGATION

USE - IRRIGATION

DECREE NAME -

REMARKS - P/D SALMON NATL. FOREST.

P/U S34 & 35, T23N, R18E.

H.E.S. 390.

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PROOF MADE -

DIVERSION MEANS -

FIRST NAME - MAGNUS

ADDRESS LINE 2 -

CITY - NORTHFORK

TRIBUTARY OF - PANTHER CREEK

PRIORITY - 04-12-1940 COUNTY - LEMHI

WATER DIST. -

REDIV -

272.0 92.0 289.0 10.0 0.0

USE DIV. RATE -

PLACE OF USE - TWN 23N RNG 18E SEC 34

PLACE OF USE - TWN 23N RNG 18E SEC 35

DATE -

ORIG OWNER -

STATE - ID ZIP CODE -

TOTAL DIV. RATE - .8000 -CFS

RIGHT BASIS -

0.0 0.0 0.0 0.0 0.0 0.0 1.0

USE DIV. VOLUME - .00 AFA

TOTAL ACRES 0

VERIFIED LGS

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 18961

001 000000



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

February 4, 1983

Mr. Hilliard M. Bevan
P.O. Box 258
Creede, CO 81130

Dear Mr. Bevan:

Re: License 75-2095

In reply to your letter of January 17, 1983, our records show that license, No. 75-2095, was issued to Magnus Bevan with a priority date of April 12, 1940, for 0.8 cfs of the waters of Beaver Creek.

No further action is required in the way of filing if the water is still being used in compliance with the licensed right. A copy of the license is enclosed.

If you have any questions or need further assistance, please do not hesitate to contact us.

Sincerely,

ROBERTA GARRETT
Records Supervisor

RG:sc

Enclosure

75-2095

RECEIVED

JAN 28 1983

Department of Water Resources

Hilliard M. Bevan
Box 258
Creede, CO 81130

January 17, 1983

Idaho Dept. of Water Resources
Idaho Water Rights Claims Program
Statehouse, Boise, Idaho 83720

Dear Sirs:

I am writing to find out if the water right recorded in the name of Magnus Bevan, in the early 1940's complies with today's recording laws, or if we have to record it again. This water right covers water taken from Beaver Creek, a tributary of Panther Creek in Lemhi County. I would appreciate a reply as soon as possible.

Sincerely,

Hilliard M. Bevan

IDENT. NO. 75-2095

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 18961 / 75-2095
 OTd No. New No.

Record

1. Original Owner: Magnus Buan

Present Owner: _____

2. Address:

3. City: North Fork State: ID Zip: _____

4. A. Source of Water: Beaver Creek

B. Tributary of: Panther Creek

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: 4-12-1940

D. County: 59

E. Total Diversion Rate: .8

F. Total Diversion Volume:

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

H. Water District: _____

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>See remarks</u>					
	<u>NE5W</u>	<u>35</u>	<u>23N</u>	<u>18E</u>		

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

from _____ to _____ for A purposes. Amount .8
 (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 _____

8. Use Code:

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks:

Salmon Natl Forest.
A. P/D ~~incomplete. See file.~~
B.
C. P/U S. 34 + 35, T22N, R18E.
D.
E. H.E.S. #390.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number: 18461

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval:

14. Diversion Means (brief narrative):

✓
April 3, 1950

Re: Permit No. 18961

Mr. Magnus Bevan
North Fork, Idaho

Dear Mr. Bevan:

We enclose License and Certificate of Water Right issued under Permit No. 18961, confirming your right to the use of .8 of a second foot of water from Beaver Creek with priority of April 12, 1940, for irrigation of land included in your Homestead Entry Survey No. 390, in approximately Sections 34 and 35, Township 22 North, Range 16 East, B.M., Unsurveyed.

We also enclose Departmental Receipt No. 22174 for the \$6.00 fee paid in connection with this proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn
Enc.

18961

Dear Sirs

Please find a check for ~~\$~~6⁰⁰ to be
applied on water Permit No 18961 for the
homestead entry No. 390.

Magnus Bevan
North Fork
Idaho.

RECEIVED
MAR 24 1950
Department of Reclamation
18961

March 14, 1950

Re: Permit No. 18961

Mr. Magnus Beven
North Fork, Idaho

Dear Mr. Beven:

We now have on file the report of our Field Engineer on examination for Beneficial Use under your Permit No. 18961.

This report shows that you have irrigated approximately 40 acres of land in your homestead entry No. 390.

Therefore, upon receipt of the statutory fee of \$6.00, being at the rate of \$2.00 for each 40 acre subdivision in which the land is located, a License will be issued for .8 of a second foot of water from Beaver Creek.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn

18961

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 18961

REPORT ON PROOF OF Beneficial use

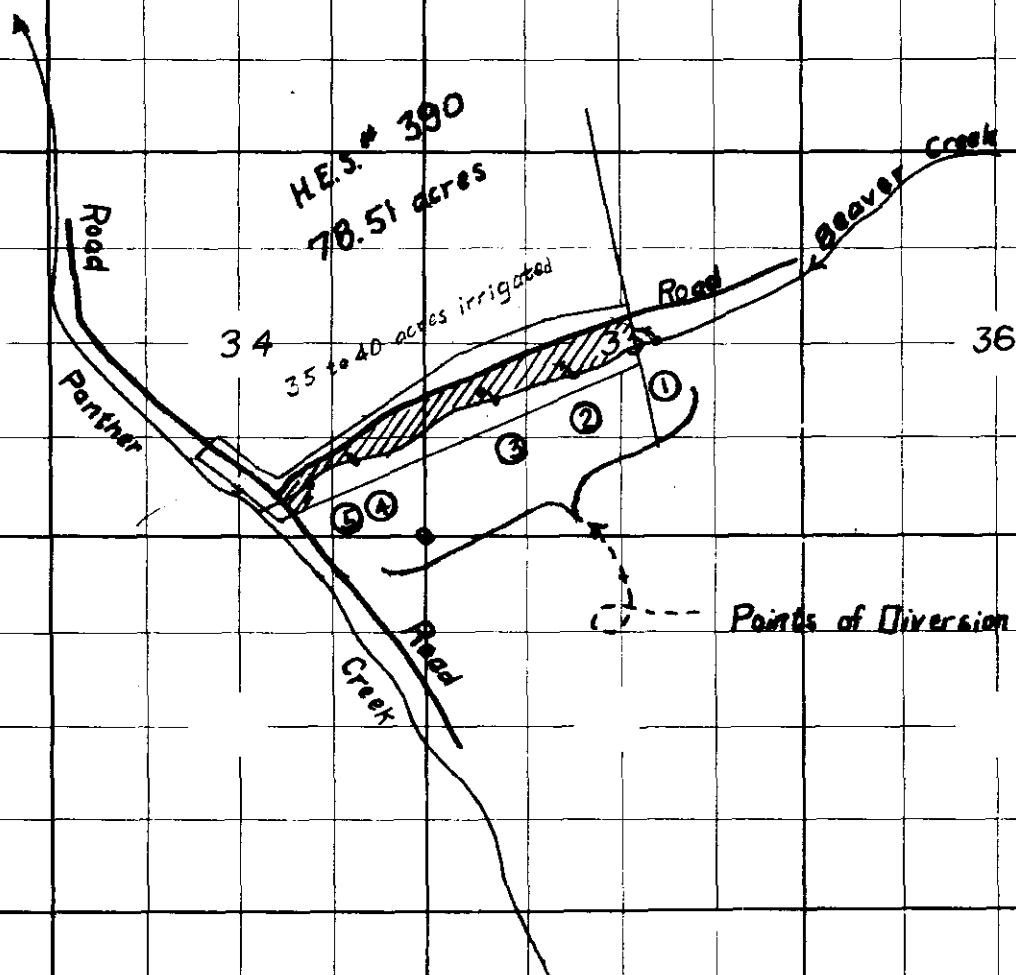
app. 3 c/s

8 cfs
max

35-40 a.
3-40's

19.00
37718.55

T. 23N., R. 18E.



STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 18961This proof is for Beneficial use

In Water District No.

1. Name of applicant Magnus Bevan, North Fork, Idaho
2. Source of water supply: Beaver Creek, a tributary of Panther Creek
 (A) 450 ft. E. from Cor. # 7 H.E.S. # 390; (b) 100 ft. N. W. from Cor. # 7-
3. Location of point of diversion: Is in the Unsurveyed of Section
H.E.S. # 390- In Salmon National Forest
 T. 22 N. R. 18 E. County of Lemhi

4. Describe works as they exist, giving dimensions and capacities of same:
Diversion dam of brush. Headgate washed out. Ditch 1½ ft. wide and 1 ft. deep.

5. Water is used for: Irrigation and domestic purposes

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):

H. E. # 390- (See map) Approximately 70 acres-

20 acres North of Beaver Creek, and 50 acres South of Beaver Creek.

(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: This land was originally H.E.S. #390 in the name of Fritz gilbreath. It is a shoes string area 5400 feet long and 300 feet wide, 30 to 40 acres irrigated.

Adjoining this land is H.E.S. #428. (see permit 20469)

This examination was made on the 16 day of June, 19 49

(Signed)

F. A. Tolman

Examiner.

18961

Magnus Bevan
North Fork, Idaho

Permit No. 18961

Examination for Beneficial Use

County Lemhi

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.
-

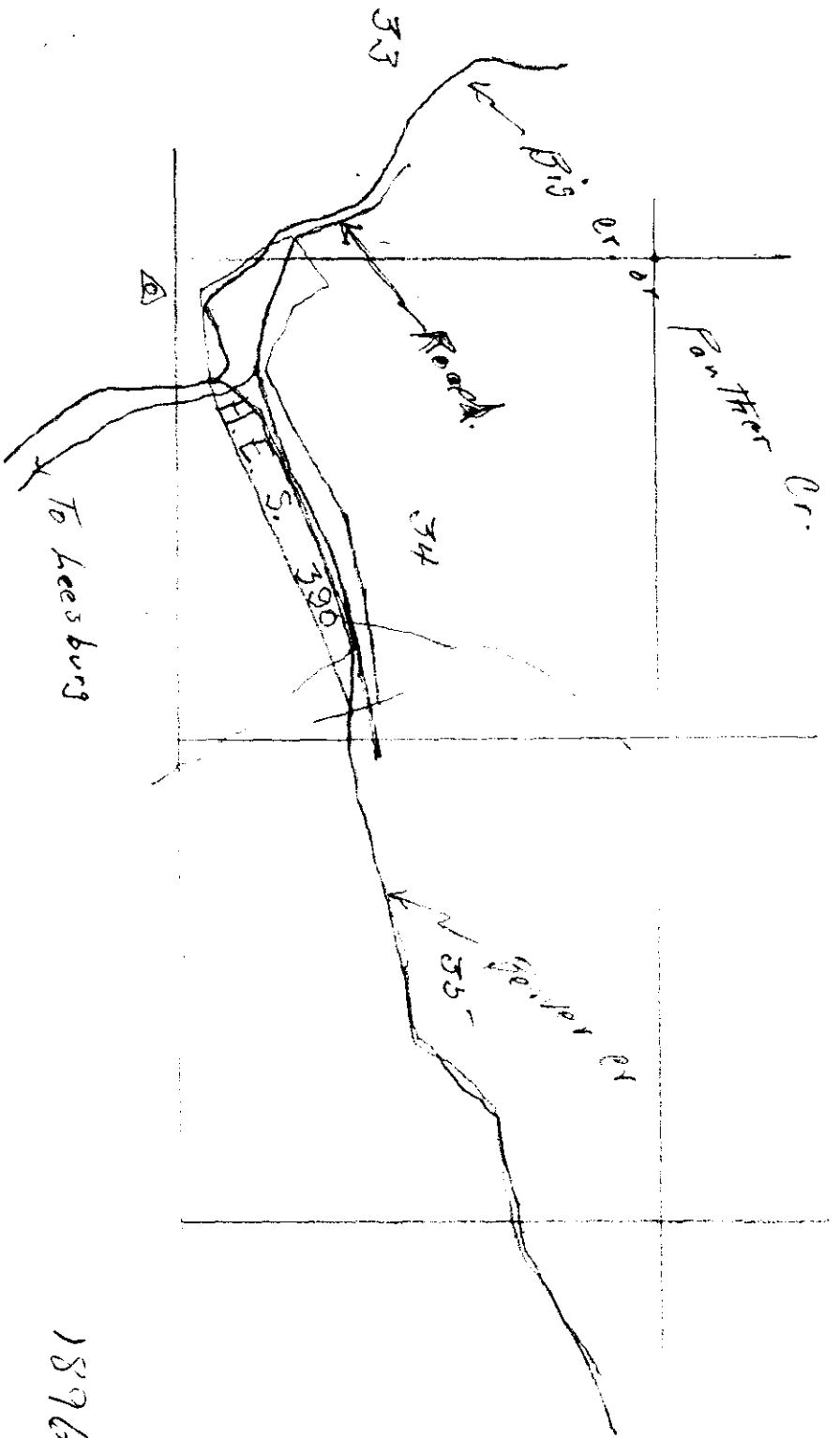
RECEIVED
MAR 6 1950
Department of Reclamation

T. 22 N. R. 18 E.
Unsurveyed.

Permit # 18961

Jan 3-57
G. M. Humphrey

Grand Iron Station
Land & Survey Office



18961

✓
May 11, 1948

Re: Permit No. 18961

Mr. C. Walker Lyon
Viel Bldg.
Salmon, Idaho

Dear Mr. Lyon:

We acknowledge receipt of your letter of May 7, 1948, enclosing depositions of Magnus Bevan and two witnesses, also affidavit of publication in the Salmon Herald all in proof of beneficial use under Permit No. 18961.

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. Bevan 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/dm

cc: Mr. Magnus Bevan

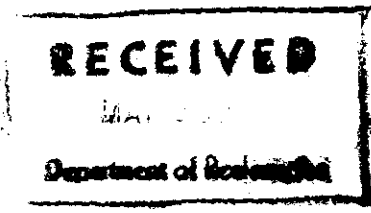
18961

LAW OFFICES
C. WALKER LYON
VIEL BUILDING
SALMON, IDAHO

May 7, 1948

PHONE 74

OFFICE CITY ATTORNEY



Department of Reclamation
Boise, Idaho

Re: Permit No. 18961, Barnus Bevan

Dear Mr. Kulp:

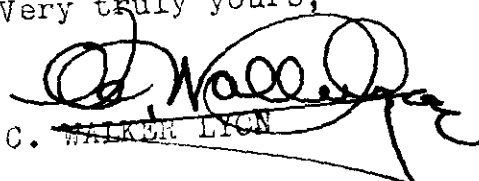
On May 6th, 1948, at 2:00 o'clock P. M., a hearing was held in my office, as Notary Public, on the above permit for proof of beneficial use of water.

Enclosed herewith are the following executed instruments:

Deposition of Permit Holder;
Deposition of Richard H. Hines;
Deposition of William M. Hines;
Affidavit of Publication of Notice of Proof.

If anything further should be furnished your office, please feel free to write.

Very truly yours,


C. WALKER LYON

CWL:cjc
Encl 4

18961

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 18961-----

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Magnus Bevan - North Fork, Idaho - Farming - North Fork, 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. No

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

Ans. 18961 - April 15, 1940 - April 10, 1940

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

Ans. Beaver Creek, tributary to Panther Creek - (A) 450 ft. E. from Cor. No. 7, H.E.S. No. 390, Unsurv. T. 22 N. R. 18 E.B.M.; (B) 100 Ft. NW from Cor. No. 7, on unsurveyed land in Salmon Nat. Forest, County of Lemhi

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. 2 Open Ditches 2 ft. wide at bottom; 1 ft. deep - Ditch A capable of carrying 2 cubic feet per second of water; Ditch B capable of carrying 1 cubic foot of water per second. Both ditches about $\frac{1}{2}$ mi. in length -

Name: Bevan Ditch A; Bevan Ditch B

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. Domestic and irrigation; approximately 70 acres of Forest Homestead Entry Survey No. 390, unsurveyed land in Salmon National Forest, Lemhi County, Idaho - 70 Acres of F.H.S. No. 390 - Cultivated Land - Direct Result, being Garden, Orchard, Grain and Alfalfa Crops.

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

Ans. None except domestic.

18961

1201

Ques. 8. What is the minimum amount of water required for the purpose specified above?
Ans. 3 cubic feet per second

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. Original permit holder

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.
Ans. Continuous use of 3 cu. ft. per second for irrigation since April 10th, 1940.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.
Ans. None

(Sign) Magnus Bevan

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 6th day of May, A. D. 1948.

My commission expires February 27, 1952.

Notary Public for Idaho
Residing at Salmon, Idaho.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 18961

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. William A. Hines - 70 - Shoup, Idaho - Clerk - Shoup, Idaho.

Ques. 2. Are you acquainted with Magnus Bevan, the holder of Permit No. 18961? How long have you known him and where does he reside?

Ans. Yes - 40 years - North Fork, Idaho.

Ques. 3. Have you read or heard read said Permit No. 18961, 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.

Beaver Creek, Tributary to Panther Creek - (A) 450 ft. E. from Cor. No. 7, H.E.S. No. 390, Unsurv. T. 22 N. R. 18 E. B.M.; (B) 100 ft. NW from Cor. No. 7, on unsurveyed land in Salmon Nat. Forest, County of Lemhi, State of Idaho - 2 Open Ditches 2 ft. wide at bottom, 1 ft. deep - Ditches both about 1/2 mile in length.

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. 3 cubic second feet

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation and domestic for Survey No. 390 - 70 Acres of F. H.S. No. 390 - Cultivated Land - Direct Result, Garden, Orchard, Grain and Alfalfa Crops.

18961

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

Ans. None

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. Gravelly Loam - 3 cubic feet per second

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

Ans. No

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

Ans. Have personally observed use of water at different periods
from April 10, 1940 until date hereof.

(Signed) William M. Harris

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 City of Salmon, County of Lemhi, State of Idaho, on this 6th day of May, A. D. 19 48.

My commission expires February 27, 1952.

[Signature]
Notary Public.

18961

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 18961

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. Richard H. Hines - 68 - Shoup, Idaho - Farming - Shoup, Idaho

Ques. 2. Are you acquainted with Magnus Bevan, the holder of Permit No. 18961? How long have you known him and where does he reside?

Ans. Yes - 40 Years - North Fork, Idaho

Ques. 3. Have you read or heard read said Permit No. 18961, 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. Beaver Creek, Tributary to Panther Creek - (A) 450 Ft. E. from
Cor. No. 7, H.E.S. No. 390, Unsurveyed, T. 22 N. R. 18 E. B.M.;
(B) 100 Ft. NW from Cor. No. 7, on unsurveyed land in Salmon
National Forest, County of Lemhi, State of Idaho - 2 open
ditches 2 feet wide at bottom; 1 foot deep - Ditches both
about $\frac{1}{2}$ mile in length.

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. 3 cubic feet per second

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation and domestic for Survey No. 390 - 70 Acres of F. H. S.
No. 390 - Cultivated Land - Direct Result being Garden, Orchard,
Grain and Alfalfa Crops.

18961

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

Ans.None.....

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.Gravelly Loam - 3 cubic feet per second.....

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

Ans.No.....

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

Ans.Have personally observed use of water at different periods
from April 10, 1940 until date hereof.....

(Signed) Richard H. Jones

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.....City of Salmon....., County of.....Lemhi....., State of Idaho, on this.....6th.....day of.....May....., A. D. 19 48.....

[Signature]
Notary Public.

My commission expires.....February 27, 1952.....

18961

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at two P. M., on the 6th day of May, 1948, at Salmon, County of Lemhi, State of Idaho, before C. WALKER LYON, Notary Public, proof will be submitted of the application to beneficial use of three cubic feet per second of the waters of Beaver Creek in accordance with the terms and conditions of Per-

Affidavit of Publication

STATE OF IDAHO,
County of Lemhi,

ss.

R. R. BURKE

mit No. 18961 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are: Magnus Devan, North Fork, Idaho.

The use to which said water has been applied is irrigation of land.

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

The place where said water is used H. E. Survey No. 390, consisting of approximately seventy acres in Township 22 North, Range 18 East (Un-surveyed)

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

The right to take water from such works is based upon Permit No. 18961

The source of supply from which such water is diverted is Beaver Creek.

The date of priority which said water is prepared to establish is April 10, 1940

MARK R. KULP
State Reclamation Engineer.

Pub 4-1-4tc

being first duly sworn, deposes of the printers (publisher) of the RECORDER HERALD, weekly at Salmon, Lemhi County, Idaho, and of general

OF PROOF APPLICATION
to BENEFICIAL USE

a true attached to the margin hereof, has been and was cor-

red in the regular and entire issue of every number of any supplement thereof or thereto for Four

encing with the issue dated APRIL 1, 1948

and ending with the issue dated APRIL 22, 1948

Gordon Burke

Subscribed and sworn to before me, this *6th*

day of May, 1948

Publication Fee \$10.50

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

18961

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

Notice is hereby given that at two P. M., on the 6th day of May, 1948, at Salmon, County of Lemhi, State of Idaho, before C. WALKER LYON, Notary Public, proof will be submitted of the application to beneficial use of three cubic feet per second of the waters of Beaver Creek in accordance with the terms and conditions of Per-

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18961

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 cor-
rectly 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 APRIL 1, 1948
and ending with the issue dated APRIL 22, 1948

Ronald Burke

Subscribed and sworn to before me, this 6th

day of May, 19 48

Publication Fee \$ 10.50

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

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE
INSTRUCTIONS
PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, April 26, 1948

Re: Permit No. 18961
Magnus Bevan

Mr. C. Walker Lyon
Notary Public
Salmon, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 18961.

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 May 3, 1948, 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 Salmon, Idaho before C. Walker Lyon, Notary Public.
2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice.

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

Yours truly,

LESLIE R. KULP
Commissioner of Reclamation
State Reclamation Engineer

18961

Mr. R. Kulp,
State Reclamation Engineer,
Department of Reclamation,
Boise, Idaho

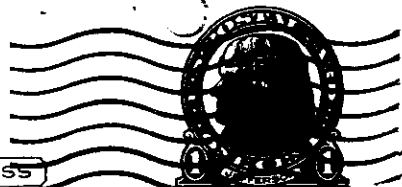
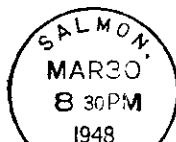
Dear Mr. Kulp:

This is to acknowledge receipt of your
order for publication the application by
by Magnus Bevan, North Fork, Idaho, to
run four consecutive weeks prior to May 6.

Sincerely

Keith Barrette
Keith Barrette,
Recorder Herald,
Salmon, Idaho

18961



THIS SIDE OF CARD IS FOR ADDRESS

Mark R. Kulp,
State Reclamation Engineer,
Department of Reclamation,
Boise, Idaho

18961

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Date: **March 29, 1948**

Re: Permit No. 18961

The Recorder-Herald

Salmon, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **May 6, 1948**. the date set for proof, the expense of the publication to be paid by the applicant, **Magnus Beven** of **North Fork, 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, in order that we may check same.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

By

Chief Clerk

18961

✓
March 29, 1948

Re: Permit No. 18961

Mr. C. Walker Lyon
Viel Bldg.
Salmon, Idaho

Dear Mr. Lyon:

We acknowledge receipt of your letter of March 26, 1948, enclosing duplicate copies of notice of beneficial use proof to be made before you as Notary Public, on May 6, 1948, under Permit No. 18961, in the name of Magnus Bevan.

A copy of the notice has been sent to the Recorder-Herald at Salmon, with instructions to publish it once a week for four consecutive weeks prior to that date.

We enclose the necessary forms of deposition, consisting of one for the permit holder and one for each of two witnesses.

At the time set Mr. Bevan 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

18961

LAW OFFICES
C. WALKER LYON
VIEL BUILDING
SALMON, IDAHO

March 26, 1948

OFFICE CITY ATTORNEY

PHONE 74

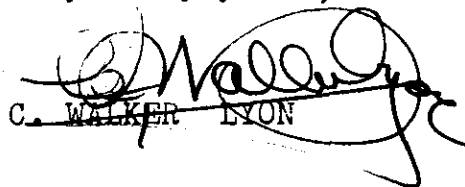
Idaho Department of Reclamation
Boise, Idaho

Dear Mr. Kulp:

Enclosed herewith are forms 10 and 11 in
the matter of proof of application of water
to beneficial use #18961, of Magnus Bavan,
North Fork, Idaho.

You may send the forms and instructions
to my office.

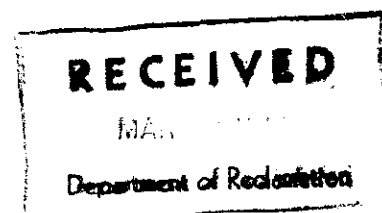
Very truly yours,


C. WALKER LYON

CWL:cjc

Encl 2

18961



NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) March 26, 1948

(P. O.) Northfork, 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.

Magnus Bevan

(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.

18961

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

Notice is hereby given that at two P.M. M. on the 6th day of May, 1948,
at Salmon, County of Lemhi, State of Idaho, before
C. WALKER LYON, Notary Public, proof will be submitted of the
application to beneficial use of three cubic feet per second of the waters of Beaver
Creek in accordance with the terms and conditions of Permit No. 18961
heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are
Magnus Bevan, North Fork, Idaho

The use to which said water has been applied is irrigation of land

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

The place where said water is used (~~is for irrigation, given is a~~ and accurate description of the
consisting
~~lands irrigated~~) H.E. Survey #390, Lemhi County, Idaho, consisting of
approximately seventy acres, in Township 22 North, Range 18 East (Unsurveyed)

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

The right to take water from such works is based upon Permit No. 18961

The source of supply from which such water is diverted is Beaver Creek

The date of priority which said user is prepared to establish is April 10, 1940

MARK R. KULP

State Reclamation Engineer.

18961

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

February 2, 1948

Mr. Magnus Bevan

Shoup, Idaho

Dear Sir:

We enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 18961. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

This 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 not later than April 15, 1948, and if proof is submitted later than said date, your priority will be brought down a length of time equal to the time elapsing between the date the proof is due and the date proof is actually made.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

18961

April 29, 1943

Re: Permit No. 18961

Mr. C. Walker Lyon
Attorney at Law
Salmon, Idaho

Dear Mr. Lyon:

We are enclosing herewith Certificate of Completion of Works issued under the above numbered permit to appropriate Three (3) second feet of the waters of Beaver Creek, in the name of Magnus Bevan, for irrigation purposes on Homestead Entry No. 390, in Lemhi County.

The Department's Receipt No. 19081, for the \$5.00 fee for completion of works proof, is also enclosed.

Very truly yours,

JAMES SPOFFORD
State Reclamation Engineer
By

Chief Clerk

A
Encls.

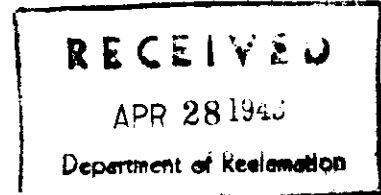
18961

C. WALKER LYON
ATTORNEY AT LAW
SALMON, IDAHO

MCDUTT BUILDING

PHONE 74

April 26, 1943



Department of Reclamation,
Boise, Idaho.

RE: Permit No. 18961

Gentlemen:

Enclosed is Proof of Completion of Works of
Magnus Bevan under permit No. 18961 of the State of
Idaho.

Although the works had been completed, Mr.
Bevan was unable to make proof because of road con-
dition to Salmon, Idaho, the closest Notary Public.

Mr. Bevan hopes that his proof will be accepted
even though the same is late.

Yours very truly,

P.S. [#]500 Enclosed

18961

Permit No. 18961

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of LEMHI

} ss.

MAGNUS BEVAN

, 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. 18961, and that his postoffice address is Shoup, State of Idaho.

Second: That the name of the stream from which said water is to be directed is Beaver Creek, a tributary of Panther Creek which is tributary to Salmon River.

Third: That the point of diversion of said water is (A) 450' easterly from Corner No. 7 of E. E. Survey No. 390; (B) 100' northeasterly from Corner No. 7 of said survey; on unsurveyed land in Salmon Nat'l Forest, Lemhi County.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by April 15, 19 43.

Fifth: That the use for which said water is intended is Irrigation.

Sixth: That on the date above mentioned, the works constructed under said permit were (~~or were not~~) fully completed and consisted of the following:

I. Kind of works: Ditches
(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:

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

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

(b) Capacity of reservoir acre feet.

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

(d) Conduit Ditch width at bottom (A) 2' feet, width at water line (A) 4'
(State whether ditch, flume or pipe) (B) 3' feet, depth of water (B) .5' feet; diameter of pipe (A) .5' inches, average grade per mile is (B) .6' feet. Length of conduit is (B) .75 miles.

Seventh: That said works are capable of conducting to the place of intended use 3 second feet of water.

Eighth: That water appropriated under said permit is available for 70 acres of land described as follows: Forest Homestead Survey No. 390

Ninth: Remarks: That

April 15

Magnus Bevan
(Sign here)

Subscribed and sworn to before me this 24th day of April, 19 43

My commission expires 2/27/44

[Signature]
Notary Public.

18961

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Magnus Bevan
C/o Allan C. Merritt
Salmon, Idaho

Boise, Idaho, **Feb. 9, 1943**

Dear Sir:—

Under the terms of your permit No. 18961 you are required to complete your diversion works on or before April 15, 1943. 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,

JAMES STOFFORD
Commissioner of Reclamation.

18961

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 18961

Boise, Idaho, **April 17, 1940**

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 ~~fourth~~ ^{fourth} ~~third~~ page.

Magnus Bevan
C/o Allen C. Merritt
Salmon, Idaho
Enc. Receipt # 17370

JAMES SPOFFORD

Commissioner of Reclamation.

18961

400410

Legal Advertising

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at two P. M., on the 6th day of May, 1948, at Salmon, County of Lemhi, State of Idaho, before C. WALKER LYON, Notary Public, proof will be submitted of the application to beneficial use of three cubic feet per second of the waters of Beaver Creek in accordance with the terms and conditions of Permit No. 18961 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are: Magnus Bevan, North Fork, Idaho.

The use to which said water has been applied is irrigation of land.

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

The place where said water is used H. E. Survey No. 390, consisting of approximately seventy acres in Township 22 North, Range 18 East (Un-surveyed)

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

The right to take water from such works is based upon Permit No. 18961.

The source of supply from which such water is diverted is Beaver Creek.

The date of priority which said user is prepared to establish is April 10, 1940.

MARK R. KULP

State Reclamation Engineer.

Pub. 4-1-4tc

Apr. 1-48