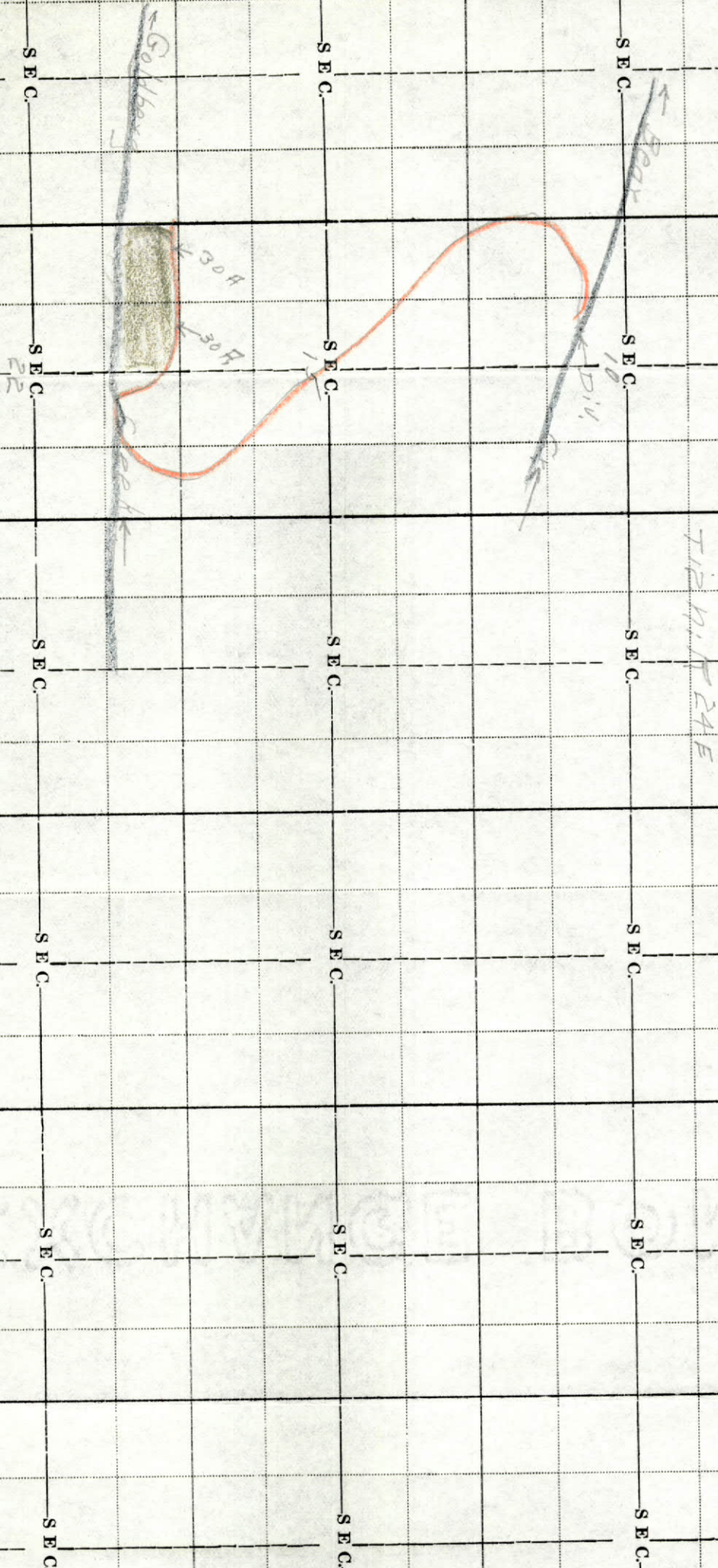


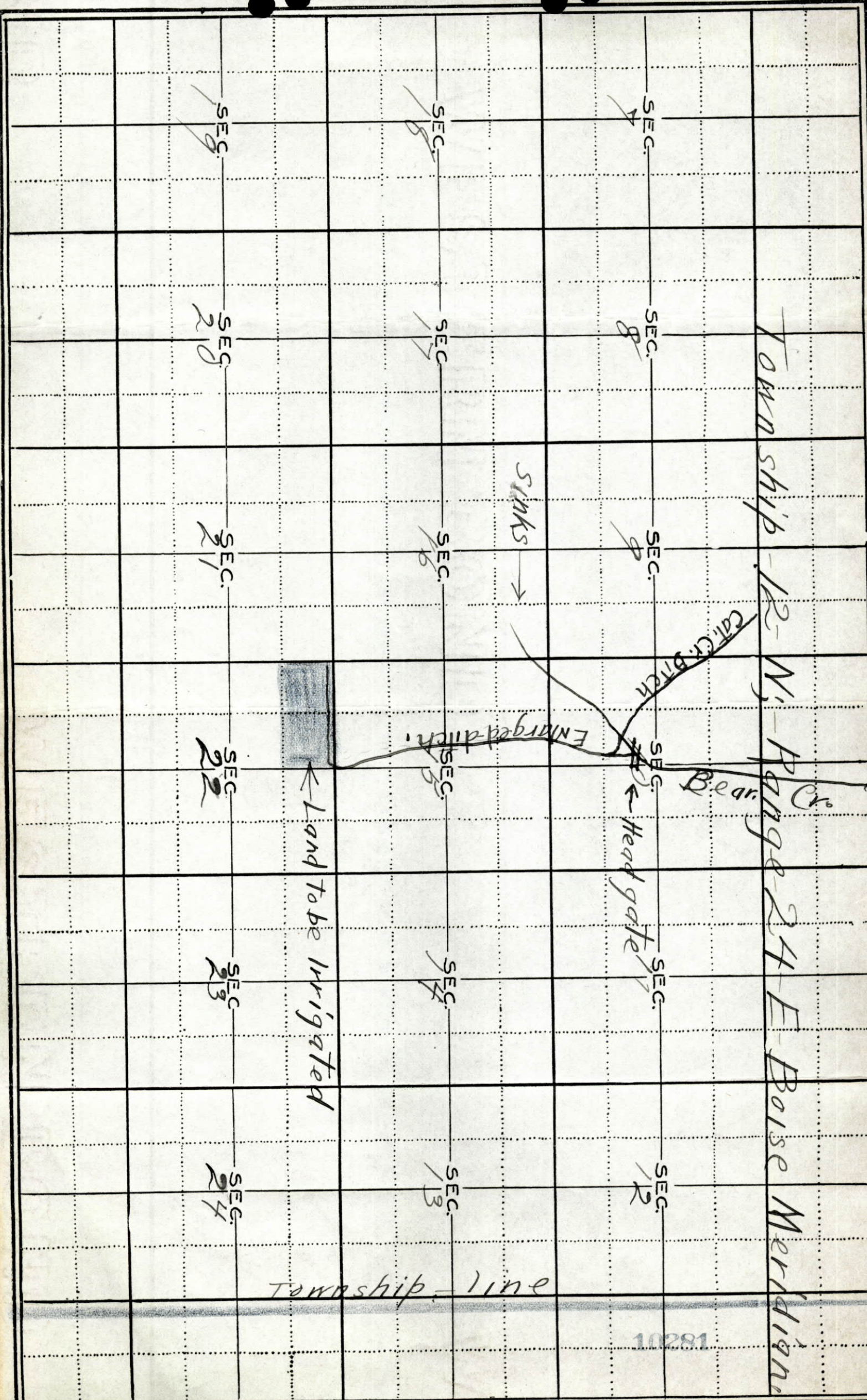
NAME OF APPLICANT

Harry Bates, #10281

10281



Name of Applicant Harry Bates. Goldburg, Idaho. (Custer, ..)



10281

License and Certificate of Water Right

Amount 1.2 million

Priority 5/25/14

THIS IS TO CERTIFY that **HARRY BATES**

HARRY RATES

The right hereby confirmed dates from May 25

The Point of Diversion is located at mouth of Bear Canyon - approx. location is

That the amount of water to which such right is entitled and hereby confirmed, for the purposes

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
12 N.	24 N.	22	NE 1/4 NW 1/4	40	20
			SE 1/4 NW 1/4	40	20

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of

Commissioner of Rehabilitation

-----W. G. SPENCER-----

BY S. A. BACR.

73-2091

No. 15210

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: Harry Bates

Postoffice address: Goldburg

County: Custer

State: Idaho

I. If applicant is a corporation, give

(a) Date and place of incorporation: XXX

(b) The amount of capital stock:

(c) The amount paid in: XXX

(d) Names and addresses of directors: XXX

II. The financial resources of the applicant are: (a) Cash on hand: XXX

(b) Treasury stock: XXX

(c) Bonds to be issued: XXX

(d) Other resources: XXX

2. The quantity of water claimed is 1 6/10 cubic feet per second.

3. Source of water supply: Bear Creek, tributary of Goldburg Creek, Custer Co.

4. Location of point of diversion: at mouth of Bear Canyon, approximate location NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 10, Twp. 12. N

County of Custer

5. To be used for: Irrigation.

I. Irrigation and domestic use: (a) Amount of land to be irrigated: Eighty (80) acres.

(b) In the following legal subdivisions: The North One-Half ($\frac{1}{2}$) of the North-west one-fourth ($\frac{1}{4}$) of Section Twenty-two (22) of Township Twelve (12) North; Range Twenty-four (24) East of Boise Meridian.

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

[a] At what point:

[b] Amount of power to be generated:

H. P. under ft. head

[c] Is water to be returned to any stream?
return:

[d] If so, name stream and locate point of

6. Estimated cost of works: \$150.00

7. Description of works for diversion:

I. Kind of works: Dam and ditch, ditch to connect with my present Cat Creek ditch, same to be enlarged to carry the added water.

II. Dimensions of works:

[a] Height of dam Three feet, length of dam at top Ten feet,

length of dam at bottom four feet. Material used in construction: Earth.

[b] Capacity of reservoir XXX acre feet. (c) Size of headgate, width Three feet,

Height Two feet. (d) Conduit Ditch width at bottom Three feet,

width at water line Four feet, depth of water 5 in. ~~four~~ diameter of pipeinches; average grade per mile is Twenty feet. Length of conduit is $1\frac{1}{2}$ miles, and it crosses the following quarter sections: The Southwest one-fourth ($\frac{1}{4}$) of Section Ten (10) The Northwest one-fourth ($\frac{1}{4}$) and the Southwest one-fourth ($\frac{1}{4}$) of Section fifteen (15) of Twp. Twelve (12) North; Range Twenty-four (24) East of the Boise Meridian.

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

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

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

Harry Bates.

Applicant.

By

Agent.

Date of first receipt at office of State Engineer 9.00 A. M. May 25, 1914.

Returned to applicant for correction May 26, 1914.

Corrected application received June 3, 1914.

APPROVAL OF STATE ENGINEER

The number of this permit is 10281

Recorded in Book 34 Page 10281 Approved June 20, 1914

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions.

Bond in the sum of to be filed on or before

Work to begin on or before August 19, 1914 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 20, 1915.

The whole of said work to be completed on or before June 20, 1916.

Beneficial use of water appropriated in accordance herewith, to be made on or before June 20, 1918.

Witness my hand this 20th day of June, 1914.

F. P. KING,

State Engineer.

Remarks: Point of diversion is on unsurveyed land if surveyed it would be the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 10, T. 12 N. R. 24 E.

Proof of Completion of Works made March 23rd, 1916.

Certificate of Completion issued June 14, 1916.

PERMIT NO. 10281.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:-

This is to certify that Harry Bates, of Goldburg, County of Custer, and State of Idaho, the holder of Permit No. 10281, issued upon application No. 15210, bearing date of priority of May 25, 1914, authorizing the diversion of 1.6 second feet of the waters of Bear Creek, a tributary of Goldburg Creek, County of Custer, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said permit; that said works are adequate for diverting and conveying to the place of intended use, 1.6 second feet of the waters of Bear Creek; that the point of diversion of said waters is at the mouth of Bear Canyon, approximately in the NE $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 10, T. 12 N., R. 24 E. B.M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit North half of Northwest quarter (N $\frac{1}{2}$ NW $\frac{1}{4}$) Sec. 22, T. 12 N., R. 24 E., B.M., containing 80 acres.

Witness my hand this 14th day of June, A.D. 1916.

J. H. SMITH,

State Engineer of the State of Idaho.

License issued for 1.2 second feet

Page 2716

WATER RIGHT NUMBER 73-2091

OWNER LAST NAME - BATES

FIRST NAME - HARRY

ORIG OWNER -

VERIFIED LGS

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - GOLDBURG

STATE - ID ZIP CODE -

SOURCE - BEAR CREEK

TRIBUTARY OF - GOLDBURG CREEK

STAGE - LICENSE

STATUS -

PRIORITY - 05-25-1914 COUNTY - CUSTER

TOTAL DIV. RATE - 1.2000 -CFS

TOTAL DIV. VOLUME -

.00 AFA TRFR/AMEND -

WATER DIST. - 73 DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - NESW 10 12N 24E LDT REDIV -

0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

FROM - TO -

USE - IRRIGATION

USE DIV. RATE - 1.2000 CFS USE DIV. VOLUME - .00 AFA

FROM - TO -

USE - DOMESTIC

USE DIV. RATE - .0000 CFS USE DIV. VOLUME - .00 AFA

USE - IRRIGATION

PLACE OF USE - TWN 12N RNG 24E SEC 22 TRACT NENW LOT AC 30 TRACT NWNW LOT AC 30

DATE - TOTAL ACRES 60

DECREE NAME -

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE - PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 10281

PROOF MADE - FLD EXAM - COND. OF APPROVAL -

DIVERSION MEANS -

201 2010000

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 10281 1 73-2091
Old No. New No.

Record

1. Original Owner: Harry Bates

Present Owner: _____

2. Address:

3. City: Goldburg State: 10 Zip: _____4. A. Source of Water: Bear CreekB. Tributary of: Goldburg Creek5. 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: 5-25-1914D. County: 37E. Total Diversion Rate: 1.2

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>NE1SW</u>	<u>10</u>	<u>12N</u>	<u>24E</u>		

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

from _____ to _____ for A purposes. Amount 1.2
(cfs or AG-Ft/yr)from _____ to _____ for D purposes. Amount _____

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:

14. Diversion Means (brief narrative):

December 10, 1920

Re. Permit No.10281

Mr. Harry Bates,
May, Idaho

Dear Sir:

Inclosed herewith is Water License issued under
the above numbered permit, with receipt for fees paid.

Yours very truly

W. G. SWENDSEN.
Commissioner of Reclamation

By _____

WL. R-6162

CB/BC

10281



TREASURY DEPARTMENT

WASHINGTON

OFFICE OF THE
AUDITOR FOR THE POST OFFICE DEPARTMENT
ADDRESS REPLY TO
AUDITOR FOR THE POST OFFICE DEPARTMENT

Oct. 28, 1920.

Mr. W. G. Swendsen,
Commissioner of Reclamation,
Boise, Idaho.

Sir:

In response to your letter of Oct. 19th you are advised that the settlement warrant #129473 for \$4.00 was issued by the Department in payment of invalid money order #15710 purchased June 20, 1918 by Harry Bates at May, Idaho, for payment at Boise, Idaho, to Fred Welkie, State Engineer.

Respectfully,

Auditor for the Post Office Department.

E/IMO-MW
158885

10281

October 19, 1920.

Re Settlement Warrant .

Mr. Chas. A. Kram,
Auditor for the Post Office Department,
Treasury Department,
Washington, D. C.

Dear Sir:-

We are just in receipt of settlement warrant No. 129473, for \$4.00, sent in payment of invalid money order No. 15710. Will you kindly give us the name of the party sending the original money order, as we are unable to trace the order from the information given in your letter.

Very truly yours,

T. G. SWENDSEN,

Commissioner of Reclamation.

By _____

10281



OFFICE OF THE
AUDITOR FOR THE POST OFFICE DEPARTMENT
ADDRESS REPLY TO
AUDITOR FOR THE POST OFFICE DEPARTMENT

TREASURY DEPARTMENT

WASHINGTON

Oct. 7, 1920.

. W. G. Swendsen,
Commissioner of Reclamation,
Boise, Idaho.

Sir:

The amount due you as shown by the following statement has been certified to the Third Assistant Postmaster General for payment, and a settlement warrant will be mailed by that officer.

Invalid money order No. 15710

Issued at May, Idaho.

Amount, - \$4.00

Respectfully,

CHAS. A. KRAM,

FS-K
62012-50

Auditor for the Post Office Department.

10281

July 27, 1920.

Re: Permit 10281.

Mr. Harry Bates,
May, Idaho.

Dear Sir:

I am returning herewith money order for \$4.00 issued in payment of fees for proof of beneficial use of water on June 20, 1918, to be replaced by one of later date. The report of our examining engineer was not made until a few weeks ago, hence the delay in receipting for fees.

Yours very truly,

W. G. Swendsen,
Commissioner of Reclamation,

By: _____

CMB:HEV

10281

REPORT OF ENGINEER

This proof is for Beneficial UseIn Water District No. -19-

1. State name of applicant and number of permit: Harry Bates, Permit No. 10281.
2. State source of water supply: Bear Creek
3. Location of point of diversion: Approx. NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 10, T. 12 N., R. 24 E., B.M.
4. Describe works as they exist, giving dimensions and capacities of same:

Earth and rock dam, 1' H. 3' L.

Ditch, 3' B. 1' D. Cap. 5 sec. ft.
5. State whether or not water has been turned into works of diversion: Yes.
6. Give exact location of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation):

N $\frac{1}{2}$ of NW $\frac{1}{4}$, Sec. 22, T. 12 N., R. 24 E., B.M.

NW $\frac{1}{4}$ NW $\frac{1}{4}$, 30 A. cult.

NE $\frac{1}{4}$ NW $\frac{1}{4}$, 30 A. cult.
7. Submit map on enclosed plat, showing location and details of above description.
8. How many parties conduct water in this system? One.
9. Give names and amount of each right: Property is now owned by Swanger Bros.
Goldberg, Idaho.
10. What large stream would the water here appropriated finally reach? Snake River.
11. Describe the various tributaries en route, from point of diversion to the principal drainage stream: From land to Pahsimeroi River, to Salmon River, to Snake River.

Remarks: Water has been used on this land for twenty years, is state-
ment of neighbors.

This examination was made on the 22 nd day of June 19 20.(Signed) L. R. Annett 10281

Examiner.

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

STATE OF IDAHO,

County of _____

ss.

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

Subscribed and sworn to before me this _____ day of _____ 19____

My commission expires _____

Notary Public.

DIST. 19

Harry Bates
May, Idaho.

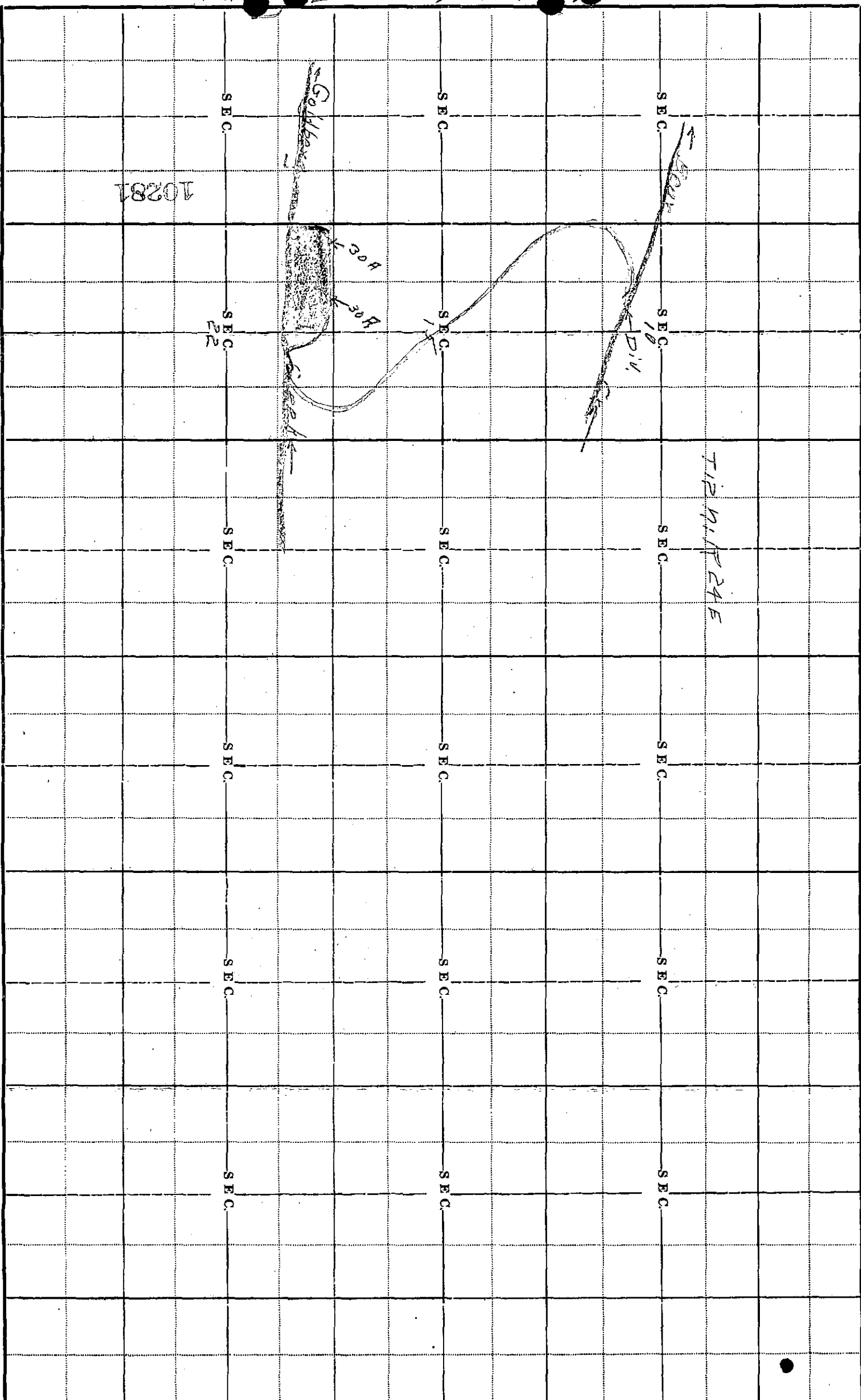
Permit No. 10281

10-12724

Instructions To Examiners

1. Examiners will not be permitted to examine any of the records in the office pertaining to this permit. They are to furnish a report of the facts and conditions as they exist, from their own observations and inquiries.
2. Always carefully note the location of the point of diversion, and accurately plat same.
3. Find out how many parties own rights in the ditch or canal and give their names and amount of right.
4. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
5. 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.
6. If any unusual conditions are discovered, make a plain statement of them under remarks.
7. 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.

NAME OF APPLICANT Harry Bates, #10281



SCALE: 2 INCHES=1 MILE. DRAW PLAN IN INK,

June 26, 1918.

Re Permit 10281.

Mr. Harry Bates,
May, Idaho.

Dear Sir:--

Am in receipt of depositions and money order for fees, in the sum of \$4.00, for proof of use of water under above permit. As soon as the report of our engineer is made and affidavit of publication is received, the matter of issuing license will be taken up.

Very truly yours,

FRED A. WILKIE,

State Engineer.

By _____

10281

PERMIT No. _____

Proof of Application of Water to Beneficial UseM.O. 15710
H**DEPOSITION OF HOLDER**

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

Ans. Harry Bates 55 years, May, Idaho. Machinist, May,Lemhi county, Idaho.

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

Ans. No corporation.

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

Ans. 10281, May 25th, 1914, May 25th, 1914,

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

Ans. Bear creek; point of diversion is at the mouth of Bear Canyon,in the N.E. 1/4 of S.W. 1/4, Sec. 10, Twp. 12, N, Range 24, 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. Dam 10 feet long on top, 4 feet long on bottom, Headgate 2 ft.
high, 18 inches wide Ditch 2 1/2 feet wide, on bottom 3 ft wide at water
line 2 miles long. Are capable of carrying all the water required for
this land. Bear creek ditch.

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

Ans. Irrigation and domestic, used on North half of the Northwest
quarter, Section 22, Township 12, N. Range 24, E.B.M. containing 80
acres all cultivated, no natural meadow. But part irrigated & made
meadow out of.

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

Ans. _____

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

Ans. One inch per acre.

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

Ans. I am the person that took out the permit; have since sold the land
to J.W. Nesbitt.

10281

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

Ans. In season of 1915 first use was made of the water, about one
half of this land has been in hay and grain the other half irrigated
and made into pasture land.

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.

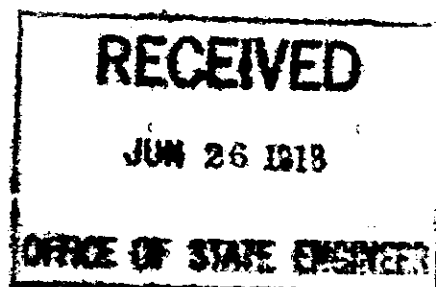
Ans. Yes small amount of water from what is called cat creek, was
used on the land about 1915 when I first begun to cultivate the land,
but there was not water from that source to accomplish any good. I took
out a right to this cat creek water but it was insufficient to do any
good toward irrigating the land. (Sign) Harry Bates

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 May, County of Lehi State of Idaho, on this 20th, day of June A. D. 1918

Saloma J. Cleveland
Notary Public
May, Idaho.

My commission expires September 5th, 1918.

10281



Permit No. _____

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. R.L. Jones, 60 years old, Goldburg, Idaho? Farmer, Goldburg,
Custer county, Idaho.

Ques. 2. Are you acquainted with Harry Bates, the
holder of Permit No. 10281? How long have you known him and where does he reside?

Ans. Yes, about 16 years, In May, Idaho.

Ques. 3. Have you read or heard read said Permit No. 10281, and are you familiar with its provisions and conditions?

Ans. No.

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. Bear creek, at mouth of Bear canyon, in the N.E. quar, of the
S.W. quar. Sec. 10, Twp. 12, N. Range 24, E. R. M. Dam 10 feet long on top, 4 feet
long on the bottom, Headgate 2 feet high, 18 inches wide, Ditch 2 1/2 feet
wide on the bottom, about 2 miles long.

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. Have never seen water measured, but estimate it will carry two
feet, and think I have seen that amount passing.

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, used on the North half of the N.W. quar,
Section 22, Twp. 12, N. Range 24, containing 80 acres; all in cultivation
no natural meadow land. All irrigated. Half in hay and grain balance
irrigated and made into pasture.

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

Ans. _____

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

Ans. Bar land and gravelly, and I estimate it will require one
inch per acre.

10281

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. In season of 1915 the first, each season since he has cultivated and irrigated until at present time it all has been reclaimed by work.

(Sign)

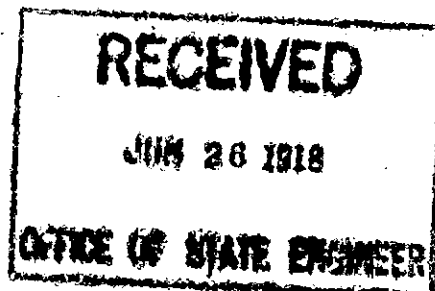
R. L. Jones

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 May, County of Lemhi, State of Idaho, on this 20th day of June A. D. 1918.

Saloma J. Cleveland

Notary Public.

My commission expires September 5th, 1918.



10281

Permit No. _____

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. James Raymond, 47 years, Goldburg, Idaho. Rancher, Goldburg, Custer county, Idaho.

Ques. 2. Are you acquainted with Harry Bates, the holder of Permit No. 10281? How long have you known him and where does he reside?

Ans. Yes, four years, In May, Idaho.

Ques. 3. Have you read or heard read said Permit No. 10281, and are you familiar with its provisions and conditions?

Ans. No.

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. Bear creek, in or at the mouth of Bear canyon, in N.E. 1/4 of S.W. 1/4 Sec. 10, Twp. 12, N. Range 24, E.B.M. Dam 10 feet on top, four feet on bottom. Headgate 2 ft high 18 inches wide, Ditch 2 1/2 feet wide on bottom about 2 miles long.

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. 80 inches and am sure I have seen that much passing.

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, North half of the Northwest quarter, Sec. 22, Twp. 12, N. Range 24, E.B.M. All cultivated land no natural meadow but irrigated and meadow made of part of said land.

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

Ans. _____

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

Ans. Gravelly bar or upland. One inch per acre.

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 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. This season only from first of April up to the present time I have been at work on this land and irrigating the same, and there is good crops growing there now.

(Sign)

James Raymond

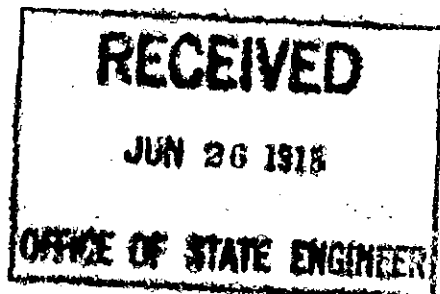
I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn

to before me in May, County of Lemhi, State of Idaho, on this 20th, day of June A. D. 1918

Saloma J. Cleveland

Notary Public.

My commission expires September 5th, 1918.



10281

May 13, 1918.

Re Permit No. 10281.

Mr. Harry Bates,
May, Idaho.

Dear Sir:--

Notice of final proof under above permit has today been mailed to the Challis Messenger for the required four weeks publication prior to June 20th and deposition blanks will be mailed to Mrs. S. J. Cleveland, notary public, later.

Very truly yours,

FRED A. WILKIE,

State Engineer.

By _____

10281

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) May 7th, 1918.

(P. O.) May, Lemhi county, Idaho.

To the State Engineer,
Boise, Idaho.

Dear Sir:

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

Harry Gates

(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 com-
petent engineer.)

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

Engineer.

10281

NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 10 a. m. on the 20th day of June, 1918,
 at May, County of Lemhi, State of Idaho,
 before Saloma J. Cleveland a Notary Public, proof will be submitted
 of the application to beneficial use of One and six tenths (1 6/10) cubic feet per second of the
 waters of Bear creek in accordance with the terms and conditions of
 Permit No. 10281 heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Harry Bates, May, Lemhi county, Idaho.
2. The use to which said water has been applied is Irrigation.
3. The amount applied to beneficial use is 1 and 6/10 cubic feet per second.
4. The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) The North half of the Northwest quarter of Section 22, Township 12, North, Range 24, East of Boise meridian.
5. The name of the canal or ditch or other works by which said water is conducted to such place of use is The Bear creek ditch.
6. The right to take water from such works is based upon Permit No. 10281
7. The source of supply from which such water is diverted is Bear creek, a tributary of Goldberg creek.
8. The date of the priority which said user is prepared to establish is June 20th, 1914.

Fred A. Wilkie,

10281

State Engineer.

STATE OF IDAHO
ENGINEERING DEPARTMENT

BOISE

May 28, 1918.

INSTRUCTIONS

PROOF OF BENEFICIAL USE

Mr. Harry Bates,
c/o Saloma J. Cleveland, N. P.,
May, Idaho.

BOISE, IDAHO,

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of application of water to beneficial use under your Permit No. 10281.

DEPOSITION OF PERMIT HOLDER,

DEPOSITIONS OF TWO WITNESSES.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of your rights:

1. On June 20, 1918, the date set for the proof of application of water to beneficial use, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to, at May, before Saloma J. Cleveland, N. P.
2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice and fee of \$2.00 for each 40-acre tract, or fraction, to which water has been applied. When these have been received together with report of examining engineer, if everything is properly executed, License will issue.

Yours truly,

FRED A. WILKIE,

State Engineer.

10281

State of Idaho
ENGINEERING DEPARTMENT

BOISE

Harry Bates,
Goldburg, Idaho

Mar 22 1918

Dear Sir:

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your Permit No. 10281-----, which kindly fill out and return to me at least 60 days before the date upon which you wish to submit proof. The date of the proof is set out in your permit, and if proof is submitted subsequent to that your priority will be advanced a time equal to the difference of the time between the date proof should have been submitted and the date it is submitted.

Yours truly,

Fred A. Wilkie

State Engineer

10281

July 1st, 1916.

P. 10281

Harry Bates,
Goldburg, Idaho.

Dear Sir:-

Enclosed herewith please find Certificate
of Completion of works issued under the above
permit, together with receipt of fees.

Very truly yours,

J. H. MICH.

State Engineer.

By

Encl Cert.
Receipt.

10281

Permit No. 10281

OFFICE OF STATE ENGINEER

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO,

County of Custer

ss.

Harry Bates, 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. 10281 and that his postoffice address is Goldburg, State of Idaho.

Second: That the name of the stream from which said water is to be diverted is Bear Creek, a tributary of Goldburg Creek in Custer County.

Third: That the point of diversion of said water is at the mouth of Bear Canyon, approximate location NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 10, T. 12 N., R. 24 E., Boise Meridian in Custer County.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by June 20, 1916.

Fifth: That the use for which said water is intended is irrigation and domestic of this affidavit

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

I. Kind of works: Dam and ditch

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

II. Dimensions of work:

(a) Height of dam 3 feet, length of dam at top about 8 feet, length of dam at bottom 4 feet. Material used in construction Earth and rock.

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir _____ acre feet.

(c) Size of headgate: Width 3 feet, height 2 feet.

(d) Conduit Ditch width at bottom 3 feet, width at water

(State whether ditch, flume or pipe)

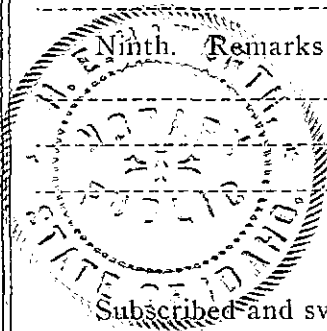
line 4 feet, depth of water 5/12 feet; diameter of pipe xxx inches;

average grade per mile is 20 feet. Length of conduit is 1 $\frac{1}{2}$ miles.

Seventh. That said works are capable of conducting to the place of intended use More than 1.6 second feet of water.

Eighth. That water appropriated under said permit is available for 80 acres of land described as follows: N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 22, T. 12 N., R. 24 E., B. M.

Ninth. Remarks: That



Harry Bates
(Sign here.)

Subscribed and sworn to before me this 23rd day of March, 1916.

My commission expires March 10, 1920

H. E. Haworth
Notary Public.

State of Idaho
ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Harry Bates,

3-15-16

Goldburg, Idaho.

Boise, Idaho,

Dear Sir:

Under the terms of your permit No. 10281-----, you are required to complete your diversion works on or before ~~June 20 1916~~----- 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,

J. H. SMITH

State Engineer.

10281

STATE OF IDAHO
ENGINEERING DEPARTMENT
BOISE

F. P. KING,
STATE ENGINEER

Permit No. 10281

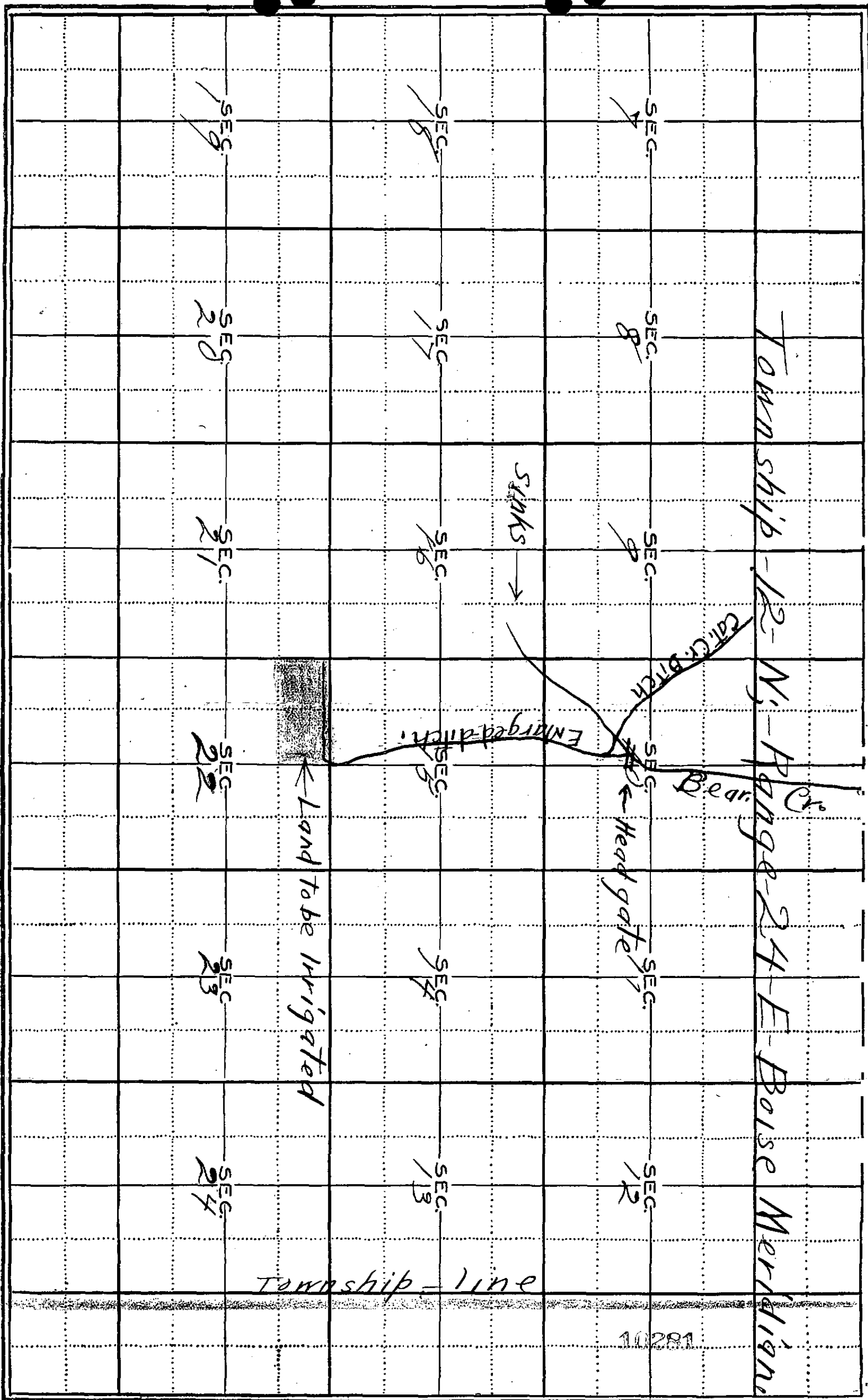
BOISE, IDAHO, June 20, 1914.

Mr. Harry Bates,
Boldburg, Idaho.
Dear Sir:

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

F. P. KING,
State Engineer.

10281



Boise, Idaho, May 25, 1914.

App. 15210.

Mr. Harvey Bates,
Goldburg, Idaho.

Sir:--

Above application received and filed. Same is returned herewith for completion in the following particulars:

In paragraph four of the blank give legal description of forty acre tract in which point of diversion will be located.

We find that Permit 9335 for 1 sec.ft. issued to James C. Taylor is still in good standing. Date of filing May 13, 1913. Point of diversion NE NE Sec. 7, 11 N. 26 East.

Very truly yours,

F. P. KING,

State Engineer.

By _____

Enc. A. 14210, FFR 9237.
W/L

10281

Goldburg Lila

May 7, 1914

State Engineer

Dear Sir

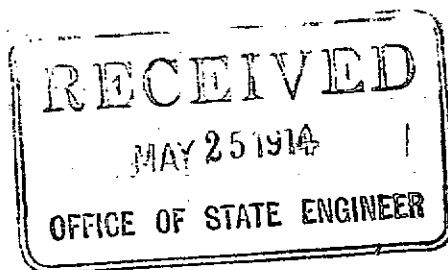
Will you kindly inform me
how much water has been appropriated
from this stream

Very Truly Yours

Harry Bales

Goldburg

Lila



10281

~~15540~~