

Angle 58

Mountain 67

Edgemo
City

33

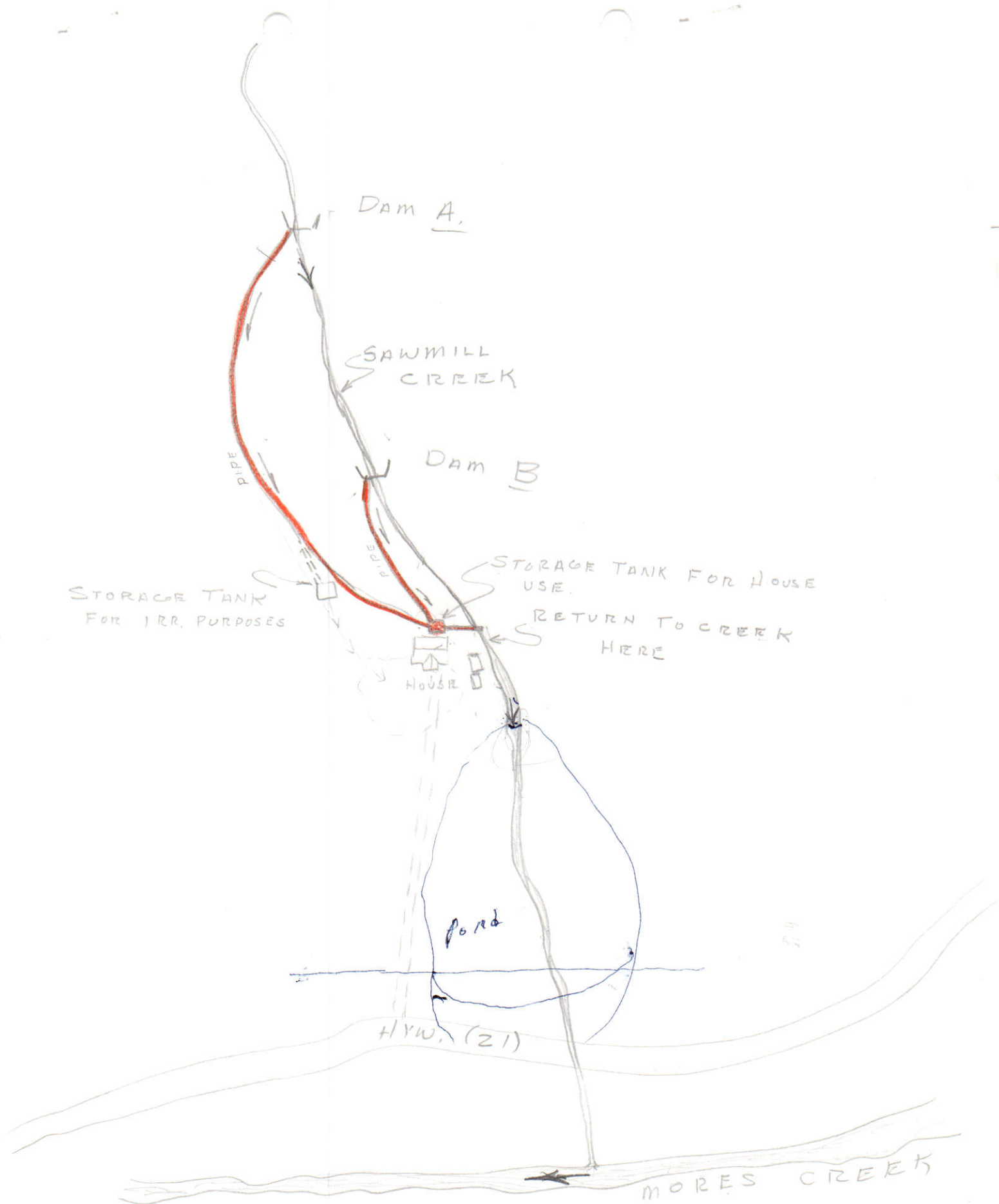


↓
To Boise

allow .02 cfs domestic

The maximum quantity diverted for this

permit shall not exceed .728 ac.-ft/year or.



30543

**AFFIDAVIT
OF
PUBLICATION**

STATE OF IDAHO, }
COUNTY OF BOISE, } S.S.
T.R. Adams being

duly sworn, deposes and says:
That he is the manager and principal clerk of THE IDAHO WORLD a weekly news paper published at Idaho City, in the County of Boise and state of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for four consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication, and was published in the newspaper proper and not in a supplement; that said paper has been established and regularly and continuously published for more than seventy-eight weeks past previous to the first publication of this notice. Such notice was published in the issues beginning with June 8, 1967 and ending with the issue of June 29, 1967

Fees \$ T.R. Adams

Subscribed and sworn to before me this 17 day of July

1967
Katherine M. Brogan
Clerk District Court
Gideon Mathis
Deputy

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

NOTICE is hereby given that on the 10th day of July, 1967, at Idaho City, County of Boise, State of Idaho, before Ariel Crowley, Idaho City, Idaho, proof will be submitted of the application to beneficial use of 0.5 cubic feet per second of the waters of Sawmill Creek in accordance with the terms and conditions of Permit No. 30543 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and post office address of the person or corporation holding said permit is George H. Emerson, Idaho City, Idaho.

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

The amount applied to beneficial use is 0.5 c.f.s.

The point of diversion of said water is 2 points in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 33, T. 6N., R. 5 E.B.M.

The place where said water is used is SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 33, T. 6N., R. 5 E.B.M.

The date of priority which said user is prepared to establish is June 26, 1962.

R. KEITH HIGGINSON
State Reclamation Engineer
Pub. June 8 - 29, 1967

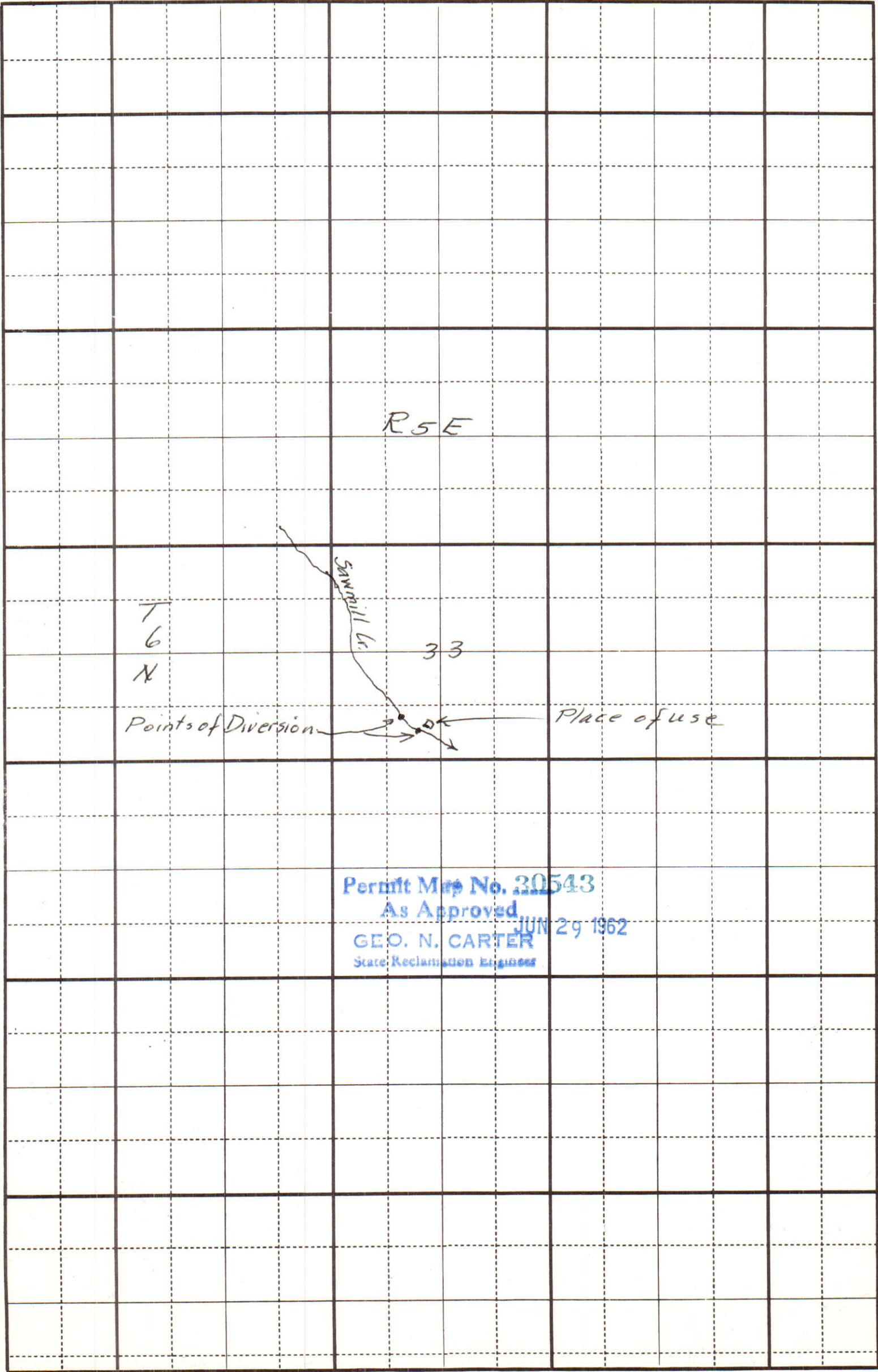
RECEIVED
JUL 18 1967

Department of Reclamation

30543

NAME OF APPLICANT George H. Emerson

Form No. 0



SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

30543

WATER LICENSE

Water License No. 30543 Priority June 7, 1966 Amount 0.02 c.f.s.
(late proof)

THIS IS TO CERTIFY, that GEORGE H. EMERSON

of Idaho City, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated June 26, 1962; that Permit 30543 was issued pursuant to said application; that the proposed works were completed on or about 1932, with a storage/or carrying capacity of 0.02 c.f.s., said works consisting of 2 cinder block dams, 2 storage tanks and plastic pipes; and that on July 10, 1967, proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of .728 acre feet per season, with a maximum rate of diversion of 0.02 cubic feet per second of the waters of Sawmill Creek, tributary of Mores Creek, for the purpose of domestic from January 1 to December 31; and for _____ from _____ to _____; and for _____ from _____ to _____; and that the use of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer and entered in the records of the Idaho Department of Reclamation: the points of diversion ~~are~~ ^{two points} located in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 33, T. 6 N., R. 5 E, B.M., and other additional points _____, in the County of Boise; and that the amount of water to which such right is entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes and shall not exceed .728 acre feet per year.

Description and location of place of use:

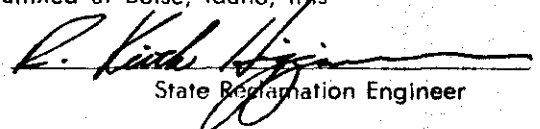
TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6 N	5 E	33											X						domestic use

Total number of acres irrigated _____

The right to the use of the water 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 November, 19 68.


State Reclamation Engineer

30543

63- 3299³⁰⁵⁴³

Application For Permit To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 38616
PERMIT No. 30543
DISTRICT No.

1. Name of Applicant: George H. Emerson

Postoffice address: Idaho City

County: Boise

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) Bond to be issued:

(d) Other resources:

2. Quantity of water claimed: 0.5

cubic feet per second.

3. Source of water supply: Sawmill Cr.

which is a tributary of Mores Cr.

4. Location of point of diversion:

feet distant from the

corner of Section , T. , R. , B.M., and is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ - 2 points

of section 33 , T. 6N , R. 5 E , B. M., County of Boise

5. Water is to be used for Domestic and mining

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 SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section ~~33~~ 33 , T. 6 N , R. 5E , B.M.

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

(c) Water is to be returned to Sawmill Cr. at a point feet

distant from the corner of Section , T. , R. , B.M., in the SE $\frac{1}{4}$ SW $\frac{1}{4}$
of Section 33 , T. 6 N , R. 5 E , B.M.

7. Estimated cost of works: \$500.

8. Kind of works: Diversion dam and ditch also pump and pipe

9. Height of dam 4 feet; length of dam at top 20 feet; length of dam at bottom 12

feet; material used in dam: concrete and earth

10. Size of headgate: Width 1 feet; height 1 feet.

11. Ditch: Width at bottom 1 fee; width at water line 3 feet; depth of water 1 feet;

dimensions of flume: 1'x1'-20'

Diameter of pipe 4 inches; length of conduit 0.2 miles.

Average grade per mile 10 feet.

12. The time required for the completion of such work is 2 years.

13. The time required for the complete application of the water to the proposed use is 0 additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:

16. (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 water of the State of Idaho as herein set forth.

s/ George H. Emerson

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 9:15 A.M. June 26, 1962

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 30543

The number of this permit is 30543
Recorded in Book 107 Page 30543 Approved June 29, 1962

Recorded in Book 107 Page 3045 Approved June 17, 1901
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 29, 1962

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 29, 1963

The whole of said work to be completed on or before **June 29, 1964**

Beneficial use of water appropriated in accordance herewith, to be made on or before June 29, 1964

WITNESS My hand this 29th day of June, 1962

s/ CARL E. TAPPAN, Assistant
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, W. E. DREVLLOW, Acting, Governor of the State of Idaho,

and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have 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 29th

day of June, 1962

STATE OF IDAHO

Countersigned:

(SEAL)

By s/ ARNOLD WILLIAMS

By s/ W. E. DREVLOW

Acting Governor.

Secretary of State.

REMARKS: Water has been used since 1932

14.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
			EXTENSION OF TIME COMPLETION OF WORKS APPROVAL OF STATE RECLAMATION ENGINEER I, RALPH W. THOMAS, Deputy State Reclamation Engineer of the State of Idaho, hereby extend the time for the completion of construction work under Permit to Appropriate the Public Waters of the State of Idaho, No. 30543 to June 29, 1967. Witness my hand this 8th day of April, 1964. s/ RALPH W. THOMAS, Deputy State Reclamation Engineer Permit No. 30543 + CERTIFICATE OF COMPLETION OF WORKS <i>W</i> TO ALL WHOM IT MAY CONCERN: This is to certify that GEORGE H. EMERSON of Idaho City, County of Boise, and State of Idaho, the holder of Permit No. 30543, issued upon Application No. 38616 bearing date of priority of June 26, 1962, authorizing the diversion of 0.5 second feet of waters of Sawmill Creek, tributary of Mores Creek, County of Boise, State of Idaho, for domestic and mining purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 0.5 second feet of the waters of Sawmill Creek, tributary of Mores Creek; that the point of diversion of said waters is 2 points in the SE$\frac{1}{4}$SW$\frac{1}{4}$, Sec. 33, T. 6 N, R. 5 E, B.M. and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit: for domestic and mining use only in the SE$\frac{1}{4}$SW$\frac{1}{4}$, Sec. 33, T. 6 N, R. 5 E, B.M. Proof of Completion of Works made: May 23, 1967. Witness my hand this 2nd day of June, A.D. 1967. S/ R. KEITH HIGGINSON State Reclamation Engineer LICENSE ISSUED FOR 0.0 LICENSE PAGE NO. 30																

WATER RIGHT NUMBER 63-3299

OWNER LAST NAME - EMERSON

FIRST NAME - GEORGE H.

ORIG OWNER -

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - IDAHO CITY

STATE - ID ZIP CODE - 83631

SOURCE - SAWMILL CREEK

TRIBUTARY OF - NORES CREEK

STAGE - LICENSE

STATUS -

PRIORITY - 06-07-1966 COUNTY - BOISE

TOTAL DIV. RATE -

.0200 -CFS

TOTAL DIV. VOLUME -

.73 AFA

TRFR/AMEND -

WATER DIST. - 63

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - SESW 33 06N 05E LOT

REDIV -

272.0 312.0 84.0 35.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.2

FROM - 01-01 TO - 12-31 USE - DOMESTIC

USE DIV. RATE -

.0200 CFS

USE DIV. VOLUME -

.73 AFA

USE - DOMESTIC

PLACE OF USE - TWN 06N RNG 05E SEC 33 TRACT SESW LOT AC

DECREE NAME -

DATE -

TOTAL ACRES

0

REMARKS - 2 P/D IN SESW, S33, T6N, R5E.

ACTUAL DIV. VOLUME = .728 AC-FT/YR.

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 20543

PROOF MADE - FLD EXAM - COND. OF APPROVAL -

DIVERSION MEANS -

November 12, 1968

Re: Permit No. 30543

Mr. George H. Emerson
Idaho City,
Idaho 83631

Dear Mr. Emerson:

Enclosed you will find your Water License issued on the
above numbered permit.

Also enclosed is departmental receipt No. 2298 in the
amount of \$5. covering the fees.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh

Enclosures

November 6, 1968

Re: Permit No. 30543

George H. Emerson
Idaho City, Idaho

Dear Mr. Emerson:

A representative of this department has made an examination of the works covered by your permit 30543 and has found the following:

Quantity of water diverted: 0.02 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 0.02 c.f.s.*

Purpose of use: Domestic use in SE 1/4, Sec. 33, T. 6 N,
R. 5 E, B.M.

The priority date established is: July 7, 1962.

A fee totaling \$ 5.00 must be received within 30 days from the date of this letter in order that we can issue you the ~~Certificate of Completion of Works~~ and the License and Certificate of Water Right as described above.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:dj

*The maximum quantity diverted shall not exceed 0.728 acre feet per season.

30543

November 6, 1968

Re: Permit No. 30543

George H. Emerson
Idaho City, Idaho

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Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:dj

*The maximum quantity diverted shall not exceed 0.728 acre feet per season.

30543

Form 23
2M-4-65

UPPER D.P. ^{To S' oray}

$$100' = 2'' -$$

$$150' = 1\frac{1}{2}$$

$$75 = 1\frac{1}{4} -$$

LOWER ^{To S}

$$15' = 2'$$

$$50' = 4''$$

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. 30543

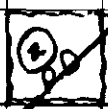
REPORT ON PROOF OF Beneficial Use

Range 5E

Mountain 67

10000
ft

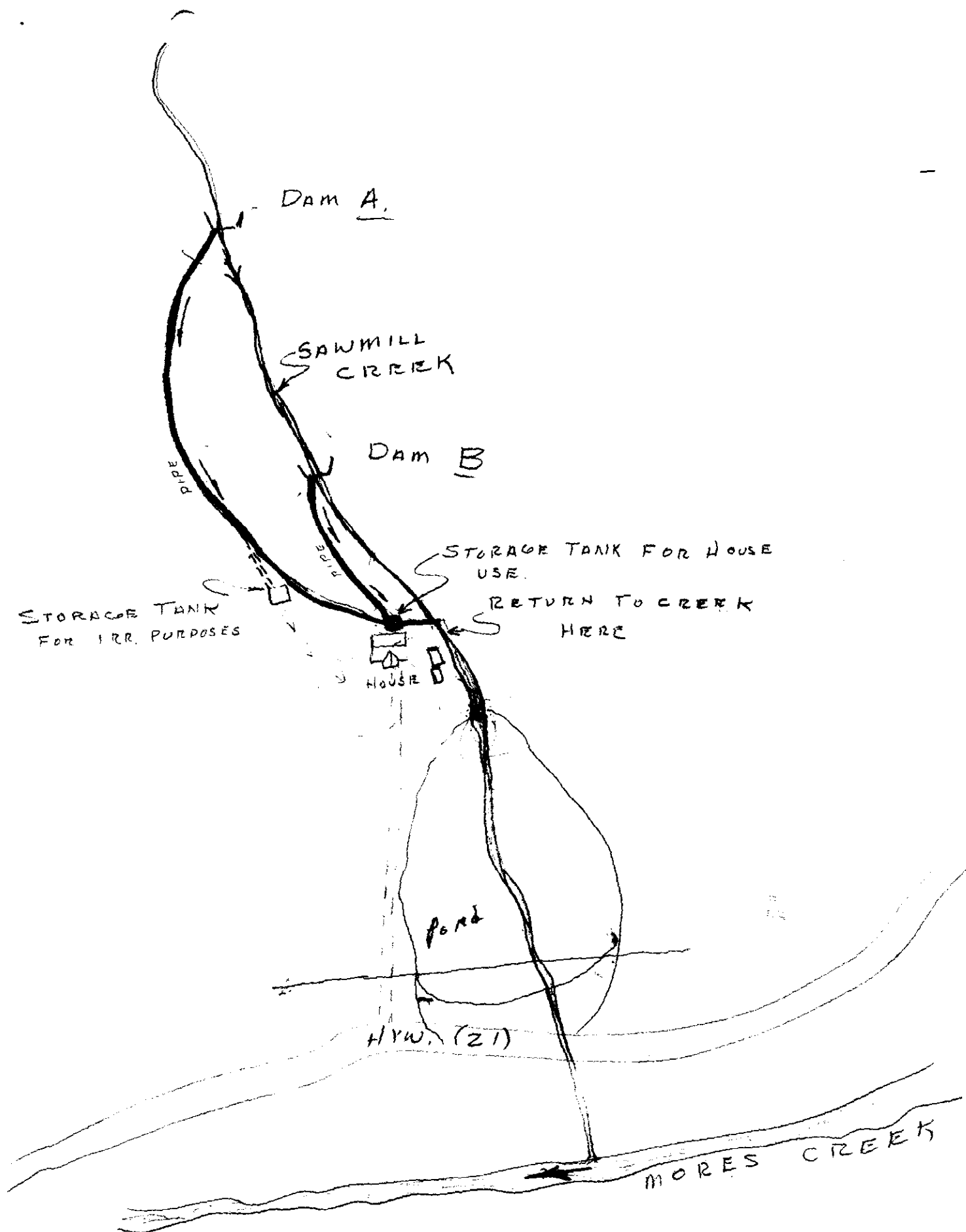
33



To Boise

allow .02 cfs domestic

THE MAXIMUM QUANTITY DIVERTED FOR THIS
PERMIT SHALL NOT EXCEED .728 AC.-FT / YEAR OR



30543

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

Permit No. 30543

This proof is for Beneficial Use

In Water District No.

1. Name of applicant George H. Emerson

2. Source of water supply: Sawmill Creek

3. Location of point of diversion: Is in the (2 points) SE 1/4 of Section 33

T. 6N R. 5E County of Boise

4. Describe works as they exist, giving dimensions and capacities of same: Two (2) cinder block dams. One (1) 12" high and 6' long. Two hundred and fifty feet (250') apart located on Sawmill Creek. The upper dam (A), diverts with 2" plastic pipe and reduces to 1 1/2" and 1 1/4" before connecting to a cement storage tank that supplies the house. Between that storage tank and the dam, there is another storage tank 100' from the upper dam that is used for summer irrigation. The lower dam (B) diverts into a 2" pipe to the storage tank at the house. Out of this tank, a 2" overflow pipe goes back into the creek.

5. Water is used for: domestic ~~irrigation~~

6. State whether or not water has been turned into works of diversion: yes diverted for drinking water,

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):

SE 1/4, Sec. 33, T. 6N, R. 5E

Acres within domestic designation

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

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

Remarks:

owner says that 500 gal tank will fill in one hour @ 0.02 cfs.

Allow 0.73 ac-ft for Domestic

No Evidence of mining. Applicant pays for gold

OK

This examination was made on the 20 day of March, 19 68

(Signed) Harry Lee Funderburg, Examiner.

30543

Mr. [unclear]

[unclear]

7.6.62

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.

George H. Emerson
Idaho City,
Idaho

Permit No. 30543

Examination for Beneficial Use

County Boise

Sec. 33 T. 6N R. 5E

Quantity:

0.5 c.f.s.

Source: Sawmill Creek

63-

P.D.: (2 Points) SE 1/4 SW 1/4, Sec. 33, T. 6N, R. 5E, B.M.

Use: domestic and mining

Extension: ~~yes~~ yes

Protest:

Completion of Works: May 23, 1967

Other Rights: none

Filed: June 26, 1962

Due: June 29, 1967

Made: July 10, 1967

Priority: July 7, 1962

2 concrete dams 12" high x
6'; 2' pipe leading from
dam to 2 storage tanks

30543

July 18, 1967

Re: Permit No. 30543

Mr. George H. Emerson
Idaho City, Idaho 83631

Dear Mr. Emerson:

We acknowledge receipt of the depositions and affidavit of publication in the
Idaho World submitted as proof of ~~com-~~
~~pletion of works and~~ beneficial use on Permit 30543.

Before a certificate and license of water right can be issued, a field examination must be made by a representative from this department. We cannot tell just when this examination will be made, but our field examiner will try to contact you at the time he makes the examination so that you may show him the system.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

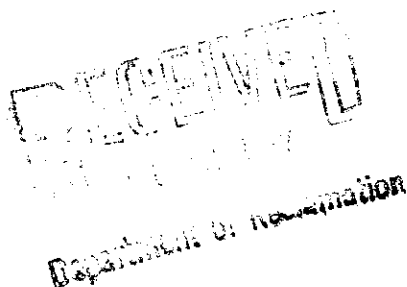
DWM:dj

30543

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. 30543



PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

DEPOSITION OF HOLDER

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

George H. Emerson, Miner, Idaho City, Idaho

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

Not applicable

Ques. 3. State number, approval date of permit, and date of priority: _____

Permit No. 30543, priority date 26 June 1962. Approval date: 29 June 1962

Ques. 4. State source of water supply: Sawmill Creek, a tributary of More's Creek

Give location of point of diversion, showing subdivision, section, township and range

2 points in the SE 1/4 Section 33, T. 6 N. R. 5 EBM, Boise County, Idaho

Ques. 5. Describe your works of diversion: 2 concrete dams 12" high by 6'; 2" pipe leading 1000 and

from dams to 2 storage tanks 500 gal. @; state amount of water they are capable of con-

veying from point of diversion to place of use: 0.5 cfs; Give name of canal or ditch

or other works by which water is conducted to such place of use: No name

_____; if a well, state depth of well _____; depth and size of

casing _____; depth to water _____; if pump is used,

state discharge of pump: _____; tell how it was measured or determined _____

_____; if sprinkler irrigation, give number and size

of nozzles and operating pressure: _____

Ques. 6. State for what purpose water is used: Domestic and mining

(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 nature of all improvements which have been made as a direct result of said use:
Water system in dwelling house, with pressure system, with mining sluice.

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: Not applicable

Ques. 7. If for other than irrigation purposes, show full legal description of place of use and state purpose for which water is used:

Domestic use in dwelling house and yard in SE¹SW¹ Sec. 33, 6 N. 5 E. BM, Boise County.
Mining use in same quarter section.

Ques. 8: 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:

Not applicable

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: 1932 0.5 cfs - Time used since first use:

Used continually since 1932. Application made June 26, 1962 to obtain formal certificate.

Ques. 10. Describe all other water rights appurtenant to same place of use: _____

Not applicable

(sign) *George Peterson*

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

Idaho City, County of Boise
State of Idaho, on this 10th day of July, A. D. 19 67.

My commission expires: April 3, 1971

Frederick H. Anderson
Notary Public
Residing at Idaho City, Idaho

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. 30543

* * * * *

RECEIVED
JUL 18 1967

Department of Reclamation

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:

Fred A. Proffer, 69, Residence Idaho City, Idaho, Occupation Miner

Ques. 2 Are you acquainted with George H. Emerson, the holder of
Permit No. 30543? How long have you known him and where does he reside?

Yes. I have known him 15 years, and he resides at Idaho City, Idaho

Ques. 3. Have you read or heard said Permit No. 30543 read, and are you familiar
with its provisions and conditions: Yes X No.

Ques. 4. State source of water supply: Sawmill Creek, a Tributary of More's Creek

Give location of place of diversion, showing subdivision, section, township and range

SE 1/4 Section 33, T. 6 N. R. 5 EBM, Boise County, Idaho

Describe works for conveying water to place of use: Concrete dams and pipe

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 0.5 cfs How much water have you seen being so
conveyed? Full pipes

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

Not applicable.

30543

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

Dwelling house and grounds in SE¹/₄SW¹/₄ Section 33, T. 6 N. R. 5 EBM, Boise County, Idaho.

Domestic and mining use

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.

Not applicable

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?

If so, in what way and to what extent? No

Ques. 10. When did you first see this water used? More than twenty years ago.

Other times you have seen such use: Off and on during the past twenty years and since the completion of the present works.

(Signed):

Fred. A. Proffer

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 Idaho City

 , County of Boise, State of Idaho, on

this 10th day of July, A. D. 19 67

Frederick A. Proffer

Notary Public for the State of Idaho

Residing Idaho City, Idaho

My commission expires April 3, 1971

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. 30543

RECEIVED
JUN 18 1967

Department of Reclamation

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:

Rupert Thorne, age 68, Occupation: Miner, retired. P. O. Address: Idaho City, Idaho

Ques. 2 Are you acquainted with George H. Emerson, the holder of Permit No. 30543? How long have you known him and where does he reside?

Yes. I have known him for twenty years or more. He resides at Idaho City, Idaho

Ques. 3. Have you read or heard said Permit No. 30543 read, and are you familiar with its provisions and conditions: Yes X No. _____

Ques. 4. State source of water supply: Sawmill Creek, a tributary of More's Creek

Give location of place of diversion, showing subdivision, section, township and range
SE 1/4 Section 33, T. 6 N. R. 5 EBM, Boise County, Idaho

Describe works for conveying water to place of use: 2 concrete dams, conveying pipes and storage tanks

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 0.5 How much water have you seen being so conveyed? Full pipes flowing

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving full legal description:

Not applicable

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

Domestic and mining use in the dwelling house and grounds located in SE 1/4 SW 1/4 Section 33, T. 6 N. R. 5 EBM, Boise County, Idaho

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.

Not applicable

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?

If so, in what way and to what extent? No

Ques. 10. When did you first see this water used? More than twenty years to my knowledge.

Other times you have seen such use: At intervals during said period, the last time being the date of this deposition.

(Signed):

Robert Thorne

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 Idaho City

 , County of Boise, State of Idaho, on

this 10th day of July, A. D. 19 67

Eric A. Ramsey

Notary Public for the State of Idaho

Residing at Idaho City, Idaho

My commission expires April 3, 1971

**AFFIDAVIT
OF
PUBLICATION**

STATE OF IDAHO, }
COUNTY OF BOISE, } S.S.
T.R. Adams being

duly sworn, deposes and says:
That he is the manager and principal clerk of THE IDAHO WORLD a weekly news paper published at Idaho City, in the County of Boise and state of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for four consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication, and was published in the newspaper proper and not in a supplement; that said paper has been established and regularly and continuously published for more than seventy-eight weeks past previous to the first publication of this notice. Such notice was published in the issues beginning with June 8, 1967 and ending with the issue of June 29, 1967

Fees \$ T.R. Adams

Subscribed and sworn to before me this 17 day of July 1967

Katherine M. Brogan
Clerk District Court
Green
Deputy

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

NOTICE is hereby given that on the 10th day of July, 1967, at Idaho City, County of Boise, State of Idaho, before Ariel Crowley, Idaho City, Idaho, proof will be submitted of the application to beneficial use of 0.5 cubic feet per second of the waters of Sawmill Creek in accordance with the terms and conditions of Permit No. 30543 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and post office address of the person or corporation holding said permit is George H. Emerson, Idaho City, Idaho.

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

The amount applied to beneficial use is 0.5 c.f.s.

The point of diversion of said water is 2 points in SE 1/4 SW 1/4, Sec. 33, T. 6N., R. 5 E.B.M.

The place where said water is used is SE 1/4 SW 1/4, Sec. 33, T. 6N., R. 5 E.B.M.

The date of priority which said user is prepared to establish is June 26, 1962.

R. KEITH HIGGINSON
State Reclamation Engineer
Pub. June 8 - 29, 1967

RECEIVED
JUL 18 1967

Department of Reclamation

30543

June 5, 1967

Re: Permit No. 30543

George H. Emerson
Idaho City, Idaho 83631

Dear Mr. Emerson:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. 30543. The proofs are to be made ~~at~~ 012122K ~~xx~~ on the 10th day of July, 19 67, before A. Crowley, Idaho City, Idaho. Notary Public.

As of this date, we have mailed the Notice to the Idaho City World, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof then mail the Affidavit of Publication and statement of costs to you.

It is important that the enclosed depositions be executed by you and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the place, on the date, and at the time and before the Notary, as advertised. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, the Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the AFFIDAVIT OF PUBLICATION

Very truly yours,

DWM:dj
Encl.

Donald W. McElldowney
Water Rights Clerk

cc: Notary

30543

34

June 5, 1967

Re: Permit 30543

Idaho City World
Idaho City, Idaho 83631

Gentlemen:

Enclosed you will find a legal notice which we wish to have published for four consecutive weeks prior to July 10, 1967. The expense of the publication is to be paid by George H. Emerson of Idaho City, Idaho, to whom you should furnish proof of publication on or prior to the above date.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the notice for checking prior to the first publication.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:dj

30543

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

Notice is hereby given that at A.M. on the 10 day of July, 1962,
at Idaho City, County of Boise, State of Idaho, before
A. Crowley **Idaho City, Idaho**, proof will be submitted of the
application to beneficial use of 0.5 cubic feet per second of the waters of
Sawmill Creek in accordance with the terms and conditions of
Permit No. 30543 heretofore issued by the Department of Reclamation of the State of
Idaho.

The name and post office address of the person or corporation holding said permit
George H. Emerson, Idaho City, Idaho.

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

The amount applied to beneficial use is 0.5 c.f.s.

The point of diversion of said water is 2 points in SE1/4SW1/4, Sec. 33, T. 6N,
R. 5 E, B.M.

The place where said water is used (LEGAL DESCRIPTION) SE1/4SW1/4, Sec. 33, T. 6 N,
R. 5 E, B.M.

The date of priority which said user is prepared to establish is June 26, 1962.

R. KEITH HIGGINSON
State Reclamation Engineer

30543

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) _____

(P. O.) _____

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published
at my expense in the Idaho City World of
Idaho City, Idaho Published in
the county in which the works are situated.

George H. Ferguson
Idaho City, Idaho 83631

(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

Permit No. ...30543.....

**Certificate of Completion
of Works**

Dated June 2, 19 67...

Stream ...Sawmill Creek.....

County ...Boise.....

Amount ...0.5 c.f.s.....

Date of Priority June 26, 1962...

Recorded in Book 107

of Permits, page 30543...

30543

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that GEORGE H. EMERSON
 of Idaho City, County of Boise, and State of
Idaho, the holder of Permit No. 30543, issued upon
 Application No. 38616 bearing date of priority of June 26, 1962, authorizing the
 diversion of 0.5 second feet of waters of Sawmill Creek,
tributary of Mores Creek,

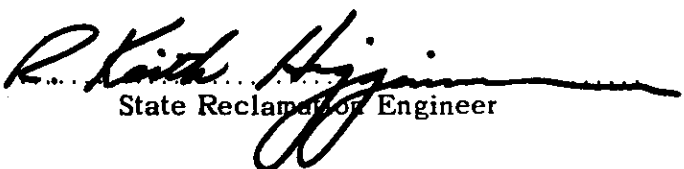
County of Boise, State of Idaho, for domestic and mining
 purposes, has fully complied with the provisions of the laws of the State of Idaho
 relating to the proof of completion of the works of diversion set out and described in said
 Permit; that said works are adequate for diverting and conveying to the place of intended
 use 0.5 second feet of the waters of Sawmill Creek,
tributary of Mores Creek;

that the point of diversion of said waters is 2 points in the SE4SW4, Sec. 33,
T. 6 N., R. 5 E., B.M.

and that the lands proposed to be irrigated by the use or place of use of said water are
 described as follows, to-wit: For domestic and mining use only in the SE4SW4,
Sec. 33, T. 6 N., R. 5 E., B.M.

Proof of Completion of Works Made: May 23, 1967

Witness my hand this 2nd day of June, A. D. 19 67


 State Reclamation Engineer

30543

June 2, 1967

Re: Permit No. 30543

George H. Emerson
Idaho City, Idaho 83631

Dear Mr. Emerson:

Enclosed is your Certificate of Completion of Works on the
above referenced permit.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:dj

Enclosure: Certificate

30543

June 1, 1967

Re: Permit No. 30543

George H. Emerson
Idaho City, Idaho 83631

Dear Mr. Emerson:

We are in receipt of your proof of completion of works affidavit of holder for the above referenced permit.

It is noted under statement 5 you have listed the use as domestic and irrigation. Please be advised that the limits of your permit only encompassed domestic and mining uses; therefore, we cannot issue this certificate of completion of works for any irrigation purposes.

Also noted under statement 8, you have claimed 20 acres of land irrigated in the E¹/₄SW¹/₄, Sec. 33, T. 6 N, R. 5 E, B.M. The only area of use that we can list under your certificate of completion of works would be the SE¹/₄SW¹/₄, Sec. 33, T. 6 N, R. 5 E, B.M. for domestic and mining purposes. Please be advised that the domestic aspects of your permit can allow you the use of water not in excess of 13,000 gallons a day for a single family unit. This use can encompass irrigation of lawns and small non-commercial gardens, totaling not more than one acre. If you wish a permit for irrigation purpose, please contact this department and we will send you the necessary forms.

Also noted under the conditions of permit 30543 that proof of application of water to beneficial use is also required on June 29, 1967; therefore, we are forwarding forms necessary for submitting of this proof and instructions.

Please complete all forms, returning them to this office as soon as possible.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:dj

Enclosures: Forms 10 & 11 and instructions

30543

Permit No. 30543STATE OF IDAHO
Department of ReclamationRECEIVED
MAY 23 1967Proof of Completion of Works
Department of Reclamation

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of BOISE } ss.GEORGE H. EMERSON, 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. 30543, and that his postoffice address is IDAHO CITY
State of IDAHOSecond: That the name of the stream from which said water is to be diverted is
SAWMILL GULCH.Third: That the point of diversion of said water is SE 1/4 SW 1/4 Sec 33, T 6N,
R 5E, 2 POINTS OF DIVERSIONFourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by JUNE 29, 1967.Fifth: That the use for which said water is intended is DOMESTIC & 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: RESERVOIR, PIPE & SPRING BOXES
(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 _____ width at bottom _____ feet, width at water line _____

(STATE WHETHER DITCH, FLUME OR PIPE)

feet, depth of water _____ feet; diameter of pipe _____ inches, average grade per mile is _____ feet. Length of conduit is _____ miles.

Seventh: That said works are capable of conducting to the place of intended use
.05 second feet of water.Eighth: That water appropriated under said permit is available for _____ acres of land described as follows: E 1/2 SE SW, SEC 33, T 6N R 5E.
20 ACRES.Ninth: Remarks:—That RESERVOIR IS AN OLD DREDGE POND
AND WATER IS PUMPED OUT FOR IRRIGATIONGeorge H. Emerson
(SIGN HERE)Subscribed and sworn to before me this 23rd day of May, 1967W. J. Smith
NOTARY PUBLICMy commission expires Jan 19, 1969

30543

S T A T E O F I D A H O

DEPARTMENT OF RECLAMATION

Boise, Idaho

March 31, 1967

Re: Permit No. 30543

George H. Emerson
Idaho City, Idaho

Dear Mr. Emerson:

Under the terms of your Permit No. 30543 you are required to complete your diversion works on or before June 29, 1967. I enclose 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 said 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, 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.

Very truly yours,

State Reclamation Engineer

Enc. Form 6

30543

April 8, 1964

Re: Permit No. 30543

George H. Emerson
Idaho City, Idaho

Dear Mr. Emerson:

Enclosed is the Application for Extension of
Time, which has been approved and recorded in this office.

This should be attached to your Application for
Permit.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

30543

APR 6 1964

STATE OF IDAHO
Department of Reclamation

Department of Reclamation

Application for Extension of Time for Completion of Works

State of Idaho

County of Boise

ss.

Permit No. 30543George H. Emerson

of

Idaho City, IdahoState of Idaho, being first duly sworn, upon his oath deposes and says:That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho
No. 30543.That under the terms and conditions of said permit, construction work thereunder was required to be
completed by June 29, 1964.

That he has heretofore performed the following work described under said permit:

Have 300 feet of pipe in and the outlet of the reservoir is partially
completed.Costing \$ 500.00That he is unable to complete the remainder of the work within the required time for the following
reasons, to-wit: Would like to be able to advertise Permit No. 29912 and this Permit
No. 30543 at the same time. Permit No. 29912 is due in 1966.WHEREFORE, he asks that the State Reclamation Engineer extend the time for the completion of
works under said permit to June 29, 1967Subscribed and sworn to before me this 6th day of April, 1964

Notary Public.

My commission expires 3-5-67Date of receipt at office of Department of Reclamation April 6, 1964

APPROVAL OF STATE RECLAMATION ENGINEER

I, RALPH W. THOMAS, Deputy, State Reclamation Engineer of the State of Idaho, hereby extend
the time for the completion of construction work under Permit to Appropriate the Public Waters of the State of Idaho,
No. 30543 to June 29, 1967Witness my hand this 8th day of April, 1964

Deputy

State Reclamation Engineer.

30543

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Re: Permit No. 30543

Date: April 1, 1964

George H. Emerson
Idaho City, Idaho

Dear Mr. Emerson:

Under the terms of your Permit No. 30543 you are required to make proofs of completion of works and application of water to beneficial use on or before ~~June 29, 1964~~

Before this proof can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper in the county.

We enclose Form 36-A in duplicate, which is to be filled in and returned to this department at least forty (40) days before the above mentioned date and/or before the time you intend to make proof (this may be at any place that is convenient for you and your two witnesses), the quantity of water, for what purpose it is used, the point or points of diversion and the location of use, or lands which are irrigated - - by legal description. Descriptions should be taken from your Permit, including any amendments thereto, as recorded in this department. If changes have been made and no amendments are on record, we advise that you request a form for this purpose before your notice is published, or you may have to readvertise and complete another set of proof forms.

Also enclosed is Form 11, which is the authorization for us to have the notice published in the designated county newspaper, at your expense. This is to be returned with Forms 36-A

At the time we send the notice to the newspaper we will send you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set, and at the place named, before the Notary Public as advertised in the publication notice.

The amount of water allowed in a license cannot be more than is actually produced and measured and put to beneficial use, and cannot be more than the statutory amount allowable per acre of land actually found by the field inspection to have been irrigated at the time of proof.

Very truly yours,

Carl E. Tappan
CARL E. TAPPAN
State Reclamation Engineer

Enc. Form 36A- 11
cc:

30543

Permit No. 30543

July 6, 1962

Mr. George H. Emerson,
Idaho City, Idaho.

Dear Mr. Emerson:

We enclose Permit No. 30543 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. 3110 which was issued covering payment in the amount of \$5.00 for the filing fee of the above mentioned permit was handed to you.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

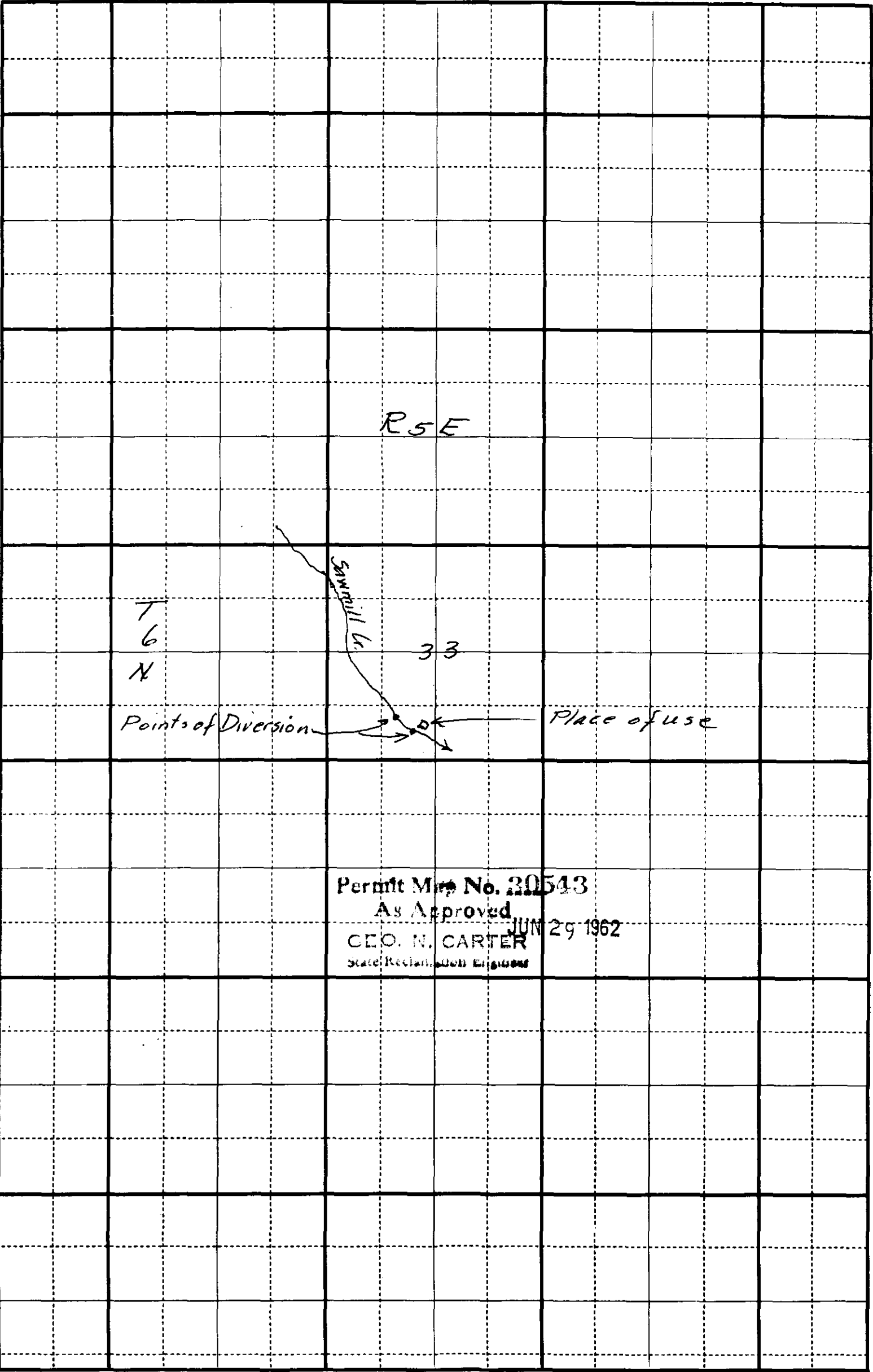
EPR:pmk

Enc.

30543

NAME OF APPLICANT George H. Emerson

Form No. 0



SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

30543

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

NOTICE is hereby given that on the 10th day of July, 1967, at Idaho City, County of Boise, State of Idaho, before Ariel Crowley, Idaho City, Idaho, proof will be submitted of the application to beneficial use of 0.5 cubic feet per second of the waters of Sawmill Creek in accordance with the terms and conditions of Permit No. 30543 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and post office address of the person or corporation holding said permit is George H. Emerson, Idaho City, Idaho.

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

The amount applied to beneficial use is 0.5 c.f.s.

The point of diversion of said water is 2 points in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 33, T. 6N., R. 5 E.B.M.

The place where said water is used is SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 33, T. 6N., R. 5 E.B.M.

The date of priority which said user is prepared to establish is June 26, 1962.

R. KEITH HIGGINSON
State Reclamation Engineer
Pub. June 8 - 29, 1967

30543