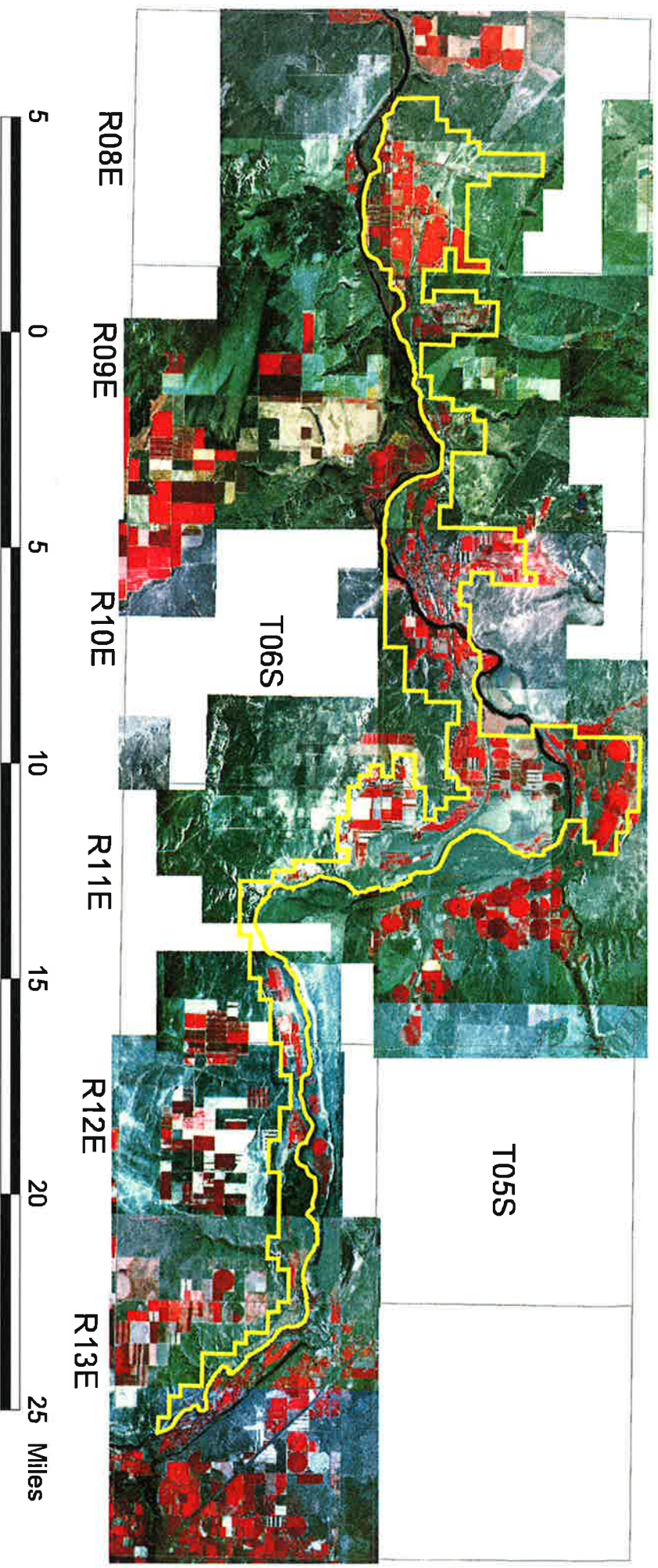


EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

King Hill Irrigation District Service Area

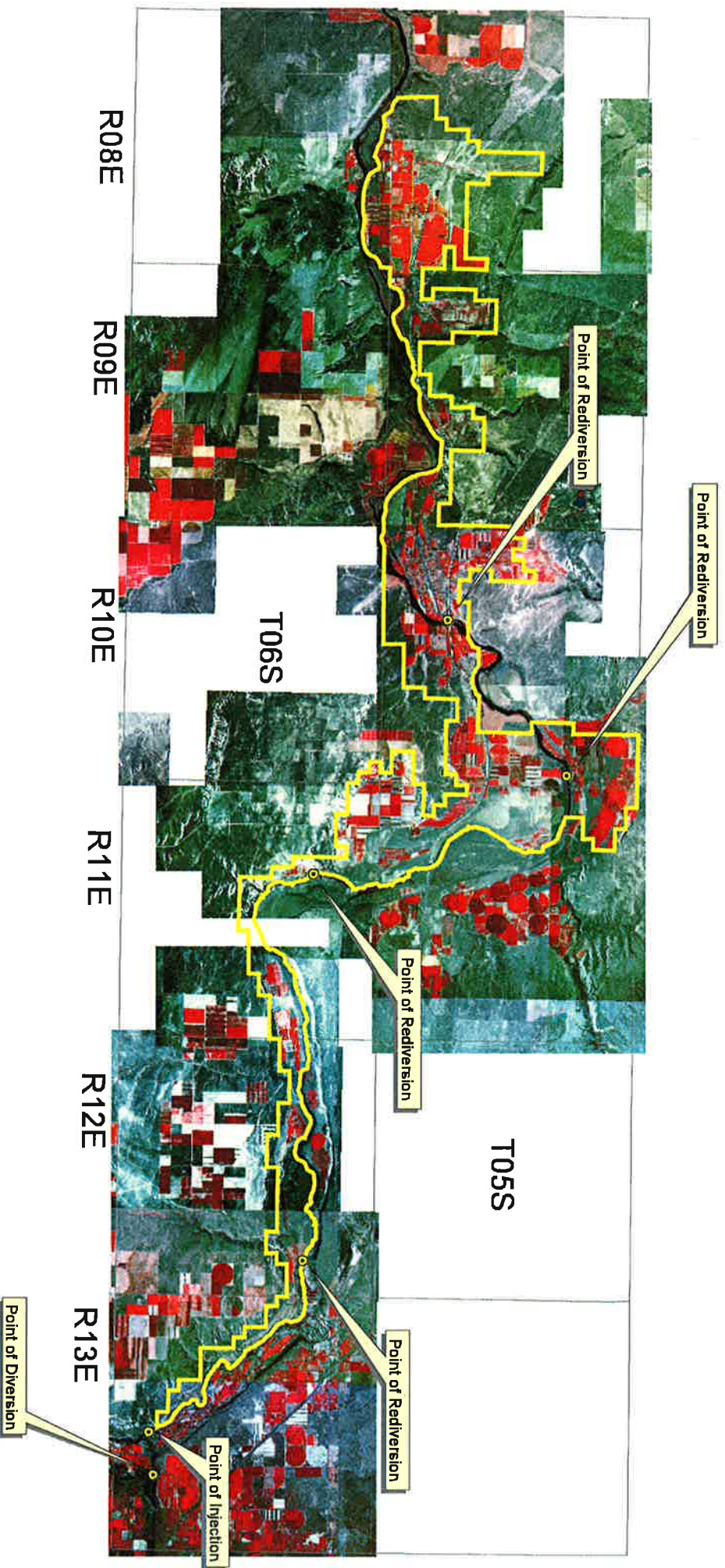


T05S R08E, T05S R09E, T05S R10E & T05S R11E
T06S R08E, T06S R09E, T06S R10E, T06S R11E, T06S R12E & T06S R13E

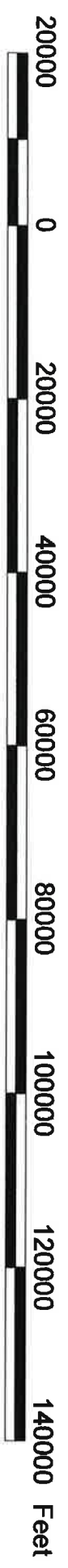
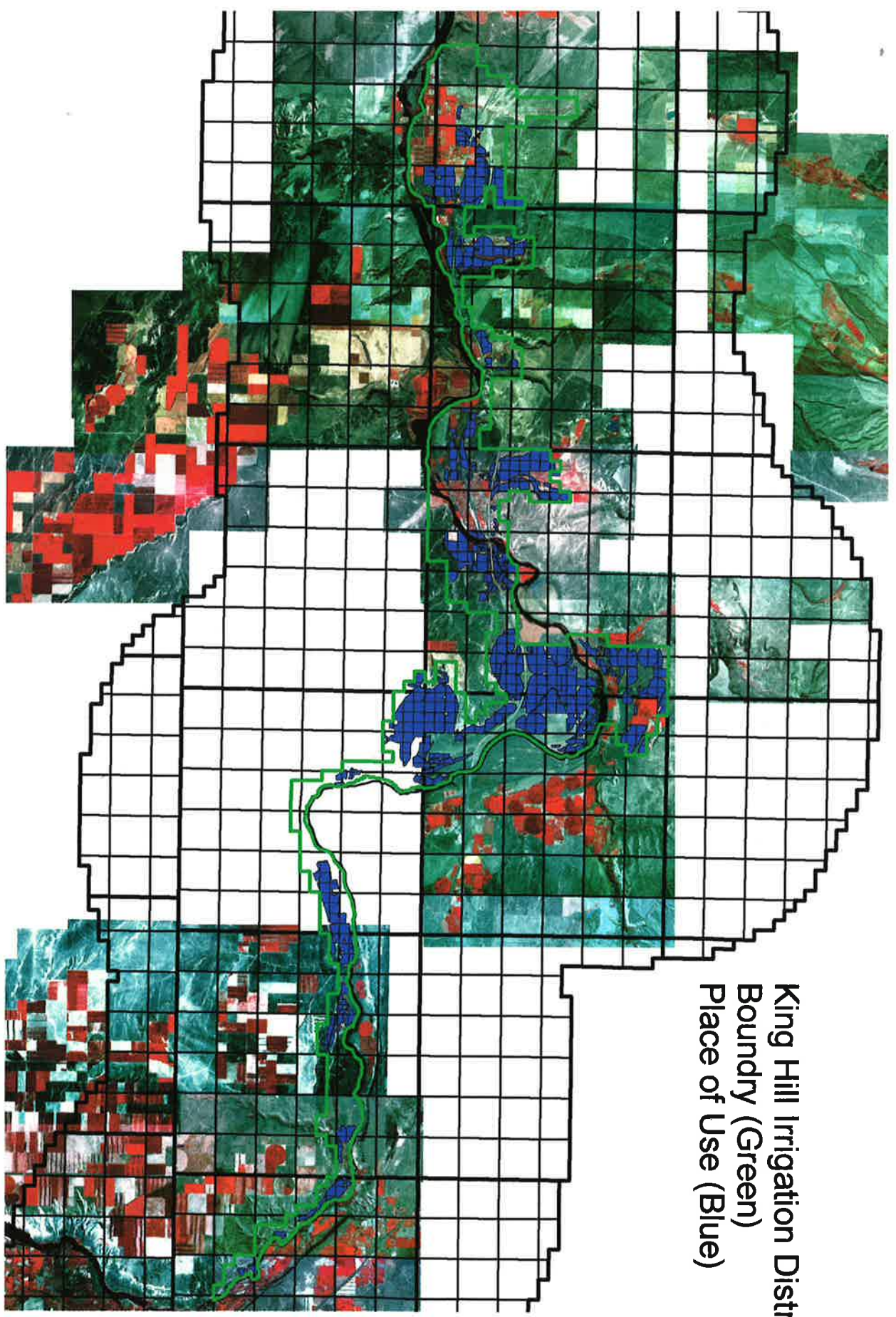
Map prepared by: Carter Fritschle
Date prepared: 10/20/05
1987-1988 NAPP photography
Idaho Department of Water Resources



37-4112 - King Hill Irrigation District



King Hill Irrigation District
Boundry (Green)
Place of Use (Blue)



TWP	RNG	SEC	NE					NW					SW					SE					SUM
			NENE Lt Ac	NWNE Lt Ac	SWNE Lt Ac	SENE Lt Ac	SENE 31	NENW Lt Ac	NWNW Lt Ac	SWNW Lt Ac	SENW Lt Ac	NESW Lt Ac	NWSW Lt Ac	SWSW Lt Ac	SESW Lt Ac	NESE Lt Ac	NWSE Lt Ac	SWSE Lt Ac	SESE Lt Ac				
05S	10E	23	28				31	34	40	38	26	26	23	38	37	13	11		36	26	146		
05S	10E	24	37	35	25	37		38	37	23	19						25	18	40	36	514		
05S	10E	25	13	32	2															36	164		
05S	10E	26	39	31	1	13	3														86		
05S	10E	27			4		9	29	21	25	3	10			18		39	23	28	26	122		
05S	10E	28	27	1- 30	24	19	2	8- 2	7- 4	2- 14	3- 25	6- 14	5- 16	4- 18				32			320		
05S	10E	29			4	11			12	9											36		
05S	10E	30	29	39	20	25	36	1- 14		11					13		4	13	8		207		
05S	10E	31		14	29		26	7- 23	6- 32	27								15			170		
05S	10E	32								3		5- 12									15		
05S	10E	33	23	36	16		38	1- 27		38	7	11									195		
05S	10E	34																			36		
05S	10E	36			9	15			34		2						33	21		12	92		
06S	10E	1	1- 31	2- 25		9															64		
05S	11E	5						3- 34	4- 29		27	27	40	28			35		26	32	123		
05S	11E	6												10				6			139		
05S	11E	7	5					4	4- 39	20				28			7- 6				83		
05S	11E	8																			43		
05S	11E	17						2- 15	24	3- 22	6- 14	3- 27	4- 32	7- 3							98		
05S	11E	18	31	20	31	16	32	1- 32	2- 28	36	36	3- 18	6- 12	35	4- 20	23	5				355		
05S	11E	19	37	32	34	36	37	1- 30	2- 32	36	8	3- 18	6- 12	35							394		
05S	11E	29												0							8		
05S	11E	30	3	30	22	27	21			40		3- 33	4- 35	39	27	39	38	38	25		155		
05S	11E	31	5	6	36	39	11	1- 3	2- 36	40		40	3- 33	4- 35	39	39	38	38	38	477			
05S	11E	32		13	27	3- 5		18	0			2	14	24	19	33	23	27	27	205			
05S	11E	33							2- 5			5- 25		6- 24							54		
06S	11E	4						3- 22													22		
06S	11E	5	1- 18	2- 34	27	5	3- 18	4- 20	40	31	12	38	18				8			9	266		
06S	11E	6	1- 43	2- 42	40	40	3- 44	4- 38	5- 26	40	16	6- 0				31	32			5	401		
06S	11E	8														8					12		
06S	11E	9									6- 12	7- 24									36		
06S	11E	12														1		7- 24			65		
06S	11E	13	32	38	6		39	35	33	19						8- 1			39		201		

TWP	RNG	SEC	NE				NW				SW				SE				SUM
			NENE Lt Ac	NWNE Lt Ac	SWNE Lt Ac	SENE Lt Ac	NENW Lt Ac	NWNW Lt Ac	SWNW Lt Ac	SENW Lt Ac	NESW Lt Ac	NWSW Lt Ac	SWSW Lt Ac	SESW Lt Ac	NESE Lt Ac	NWSE Lt Ac	SWSE Lt Ac	SESE Lt Ac	
06S	11E	14	25	11	40	40	1-	1	2- 21		9			4	18			189	
06S	11E	16																21	
06S	12E	7									7- 16	8- 7	9- 36	34	6- 13	33	10-	4	143
06S	12E	8										8- 3	7- 26	34	6- 12	5- 0	19	27	87
06S	12E	9									3- 23	34	8- 9						66
06S	12E	11												29				32	61
06S	12E	12									8		25	8- 15	9-	8			56
06S	12E	13																	0
06S	12E	16	9	23	8	8	34	2	0										85
06S	12E	17	4																4
06S	12E	18					19	1- 31											49
06S	13E	7									5- 35	3- 7	4- 23						65
06S	13E	17									5-	5	4- 11						16
06S	13E	18	6- 12	5- 19			30	1- 3							15				80
06S	13E	20	8- 1	9- 10							2				6- 4			1	32
06S	13E	21												4-					8
06S	13E	28	7- 13	6- 15			3							8					30

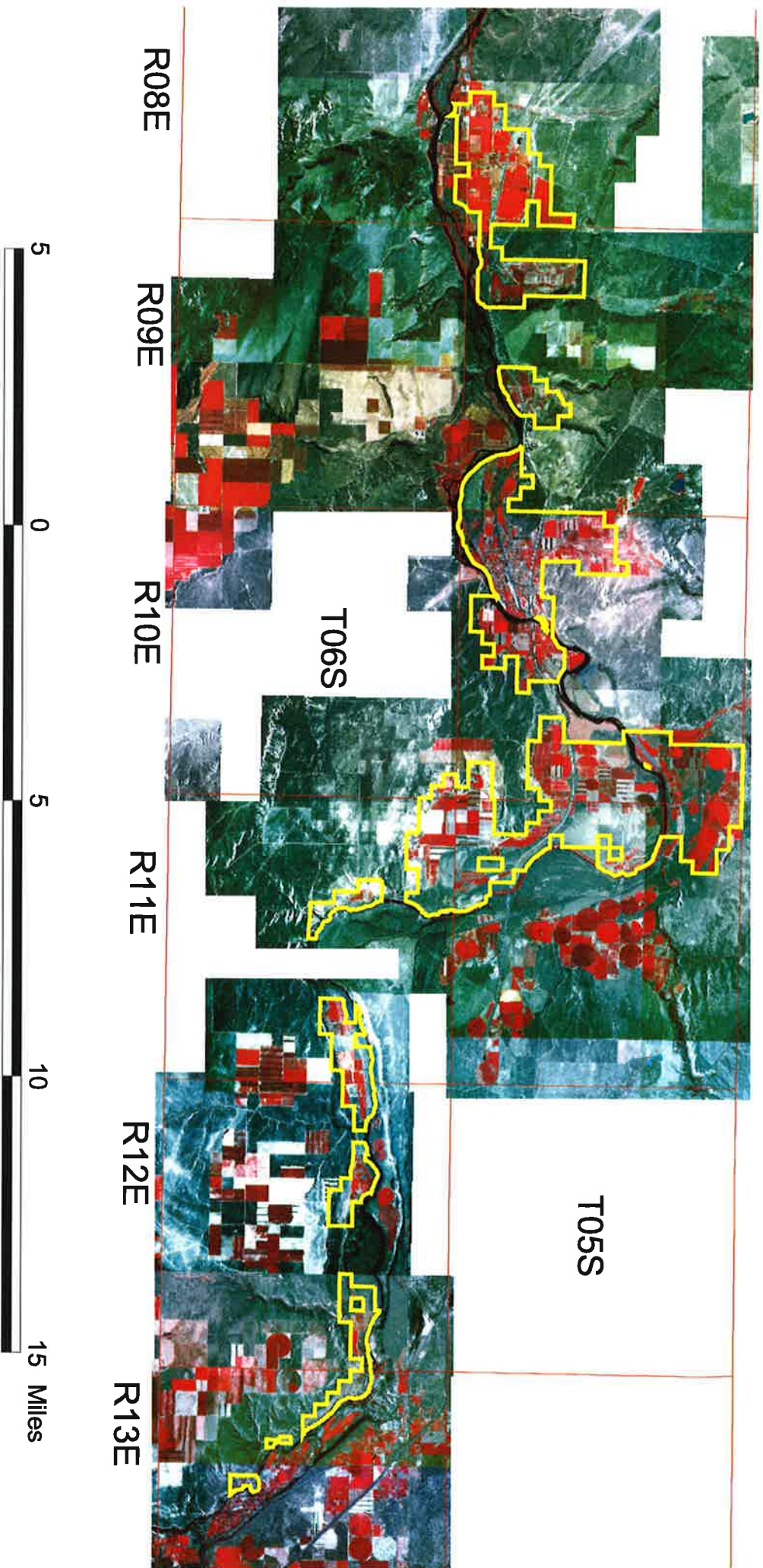
Sub-Total (QQ) Acres 10432

Township Acres:		King Hill Townsite	85
		Blakes Addn to Glenns Ferry	8
		Elmore Addn to Glenns Ferry	116
		Fruitland Subdiv to Hammett	572
		Glenns Ferry Townsite	3
		Hammers Addn to Glenns Ferry	16
		Hartman Addn to Glenns Ferry	71
		Leonard Thompson Addn.	0.3
		Medbury Subdiv to Hammett	43
		N. Addn to Glenns Ferry	10
		NW Addn to Glenns Ferry	32
		South Glenns Ferry	9
		South Hammett	113
		Woodhouse Cove	63

Sub-total (Township) Acres 1141

Total Acres 11573

37-4112 & 37-21595 - King Hill Irrigation District Service Area



T05S R08E, T05S R09E, T05S R10E & T05S R11E
T06S R08E, T06S R09E, T06S R10E, T06S R11E, T06S R12E & T06S R13E

Map prepared by: Carter Fritschle
Date prepared: 10/20/05 - Revised 05/22/08
1987-1988 NAPP photography
Idaho Department of Water Resources

Version 5



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AUG 23 2004
DEPARTMENT OF
WATER RESOURCES

August 18, 2004

State of Idaho
Department of Water Resources

Carter Fritschle

In response to your July 23, 2004 letter requesting "Evidence of Priority Date"

Our water right (37-4112) shows a 03/26/1902 date. Trying to find a living person with firsthand knowledge of that date is proving to be impossible. In the process of checking records in Gooding County to see about a "posted notice", as I've been told that our water right came from a mining claim that failed, I discovered the mining claim was taken over by Glenns Ferry Land and Irrigation which was later turned into King Hill Irrigation District that diverted water from the Malad River in the year of 1908.

I have records from Gooding County that show the Glenns Ferry Land and Irrigation Company, Limited, on the 7th day of August, 1902, had a water right out of the Malad River in the amount of 500 cubic feet per second. In 1908 they combined this water right with another 500 cubic feet per second water right belonging to Herman Rapp and Ernest Pearson (25 March 1902) and sold it to The Malad Power Company with reserving enough water appropriations and rights to divert water to irrigate lands and towns in the Irrigation Company. This water right was granted by the State Engineer of the State of Idaho by permit No 438. The water right from Rapp/Pearson was the right from the first mining claim.

According to these records there was a permit issued by the State of Idaho for the water right that King Hill Irrigation ended up with.

I'm sending copies of the records from Gooding County plus copies of the book on history of Elmore County. I also included a maintenance record for 1913 but the form was made for 1910 maintenance. The 1910 book was lost in a fire back in 1913.

Please let me know if this information is not enough to prove our right.

Thank You,

Gardner Brown
Gardner Brown
Manager KHID



Subscribed to and sworn before me *fb.*
this *19th* day of *August* *19* 2004
Lillian Stump
Notary Public
expiration date *8-24-2008*

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AUG 23 2004

DEPARTMENT OF
WATER RESOURCES

ELMORE COUNTY

Its Historical Gleanings

*A collection of pioneer narratives, treasured
family pictures, and early clippings about
the settling of Elmore County, Idaho*

BY
OLIVE GROEFSEMA

1949

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AUG 23 2004

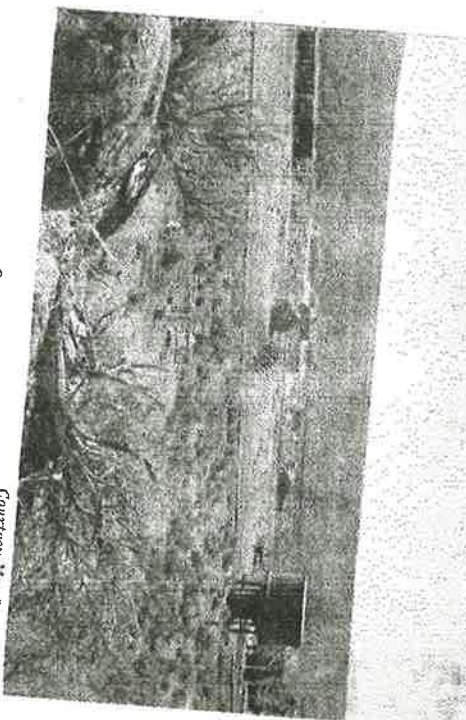
KING HILL IRRIGATION DISTRICT—ITS FOUNDING AND GROWTH

A SYNOPSIS OF THE HISTORY OF THE KING HILL IRRIGATION DISTRICT

(From material supplied by F. E. Wilson, T. H. Foster, and Mr. Ruberry.

3/16/1902

About 1900 a group of private citizens of Glens Ferry, Idaho, composed of Martin King, Ralph Goodliffe, and J. J. McGinnies, filed on waters of Malad River for the purpose of placer mining on and along Snake River to Cassia Gulch. Capital being limited, this venture failed and was taken over by a group composed of Joseph Rosevear, J. J. McGinnies, and Ernest Pierson, known as Glens Ferry Canal Company. In 1904 the State of Idaho contracted with a Cary construction company to build an irrigation system and procured from the government a segregation of about 15,000

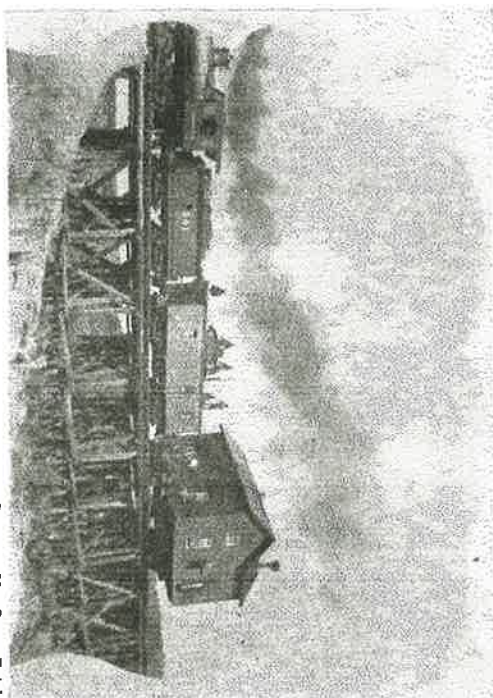


OLD KING HILL

Courtesy Mr. Omar Fricke

KING HILL IRRIGATION DISTRICT

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MOVING DAY AT OLD KING HILL

The picture shows the method by which King Hill was moved to its present site in 1905.

Courtesy Mr. Omar Fricke

acres of land to be reclaimed under the federal Cary Act. These lands are in Elmore County, and the project was known as King Hill Irrigation System. The original construction company was unable to carry out its contract with the state, and in 1908 the King Hill Irrigation and Power Company, having acquired its interests, made a new contract with the state to complete the system and reclaim these lands under the Cary Act. The water was diverted from the Malad River near the northwest corner of Sec. 35 T. 6 S. R. 13 E. B. M., about 30 miles from the place of intended use. The system was completed by the construction company to such an extent that a partial distribution of water was made and crops were raised for several years. A large part of the system consisted of wooden flumes, pipes, and siphons laid along steep hillsides and across deep gulches in loose formation. The structures were not permanent, and many breaks occurred causing poor water service and partial crop failures, which in turn prevented the settlers from paying the

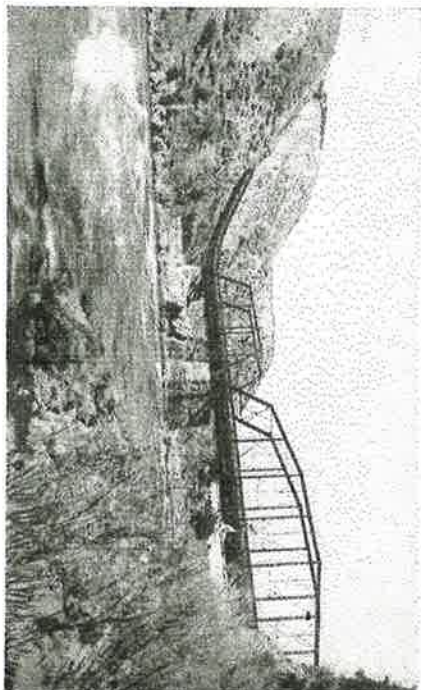
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AUG 23 2004

1908



MALAD RIVER SHOWING PORTION OF FLUME AND DAM
Courtesy Mrs. Minnie Howard

construction company payments due. The state, a short time later, purchased the interest of the construction company for \$30,000. In 1909, a permit was issued to L. G. Bradley by the State Engineer . . . for one hundred and fifty cubic feet of water per second of the waters of the Malad River and also the right to an undivided one third interest in the water rights and water appropriations of King Hill Irrigation and Power Company. Mr. Bradley promoted the extension of the project to Medbury and was known as King Hill Extension Company, Ltd. and financed the project with several hundred thousand dollars. From 1915 to 1918 it was maintained by the state by legislative appropriations. The state's original estimate of its cost was \$600,000, but by 1915 there had been expended upon this system \$1,600,000 and the legislature requested the government through the reclamation service to complete the system. Along about this time a move was made to organize the district and the first meeting of the directors of the King Hill Irrigation District was held in Glens Ferry on March 28, 1917. R. D. Gorby was made temporary chairman. The directors were R. D. Gorby, F. E. Wilson, T. H. Foster, A. B. Montgomery, and J. A. Poteet. The directors were duly sworn in . . . and proceeded to act on district business at this meeting and in the future. The matter of entering into a contract with the United States to complete the construction of the irrigation system would have to be acted upon by an election of the settlers. On September 22, 1917, a special election was held which was approved by the settlers with no opposition. On December 4, the Irrigation District board passed a resolution authorizing the president to sign a contract between the King Hill Irrigation District, the State of Idaho, and the United States for the rebuilding and reconstruction of the irrigation works. This contract was signed on December 17, 1917. The government spent approximately \$2,000,000 under the management of Walter Ward who represented the government in King Hill construction work until 1923, when the government ceased construction and operated the system and delivery of water to the settlers with a manager by the name of George Harris until January 1, 1926 when the government withdrew and the project was turned over to



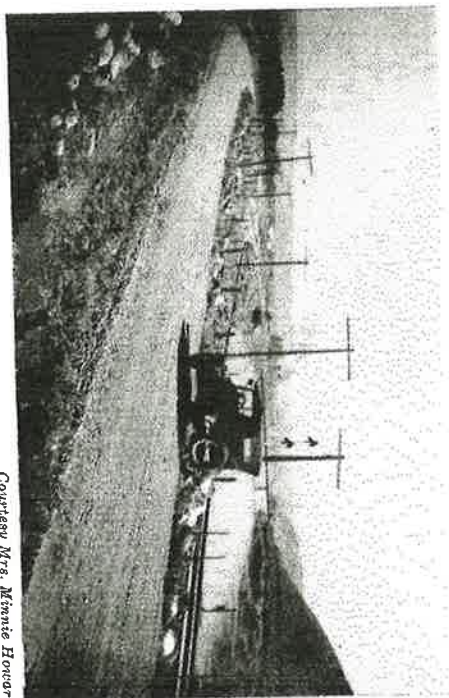
STEEL SPAN AND SYPHON CROSSING SNAKE RIVER
Courtesy Mrs. Myrtle Howard

the settlers who have operated the district since that time. The directors and managers have overhauled many features of the canal system since taking the project over on January 1, 1926. The system is steadily improving under district



FORMER SITE OF GOLD DREDGE ALONG THE SNAKE RIVER
Courtesy Mrs. Myrtle Howard
It was operated in the late 1800's and very early 1900's. The arrow points to the Robert Robertson Ranch.

management, and the water service and delivery is excellent. At the present time approximately 9,000 acres are irrigated. Practically all kinds of crops raised in Southern Idaho can be raised on this project, especially excelling in production and quality of melons, early potatoes, corn, and alfalfa.



OLD OREGON TRAIL BETWEEN GLENN'S FERRY AND KINGS HILL
Courtesy Mrs. Myrtle Howard

KING HILL CONTRACT

DOCUMENT AGREED TO BY STATE, SETTLERS AND RECLAMATION SERVICE PROVIDES LIBERAL TERMS FOR REPAYMENT AND ELECTION TO BE HELD (Reprinted from the original document as given in the *Glenns Ferry Gazette*, August 24, 1917.)

At a meeting held in Boise during last week the state land board, representatives of the United States reclamation service, and members of the board of directors of the King Hill Irrigation District decided fully upon the details of the contract which will govern future activities in connection with the King Hill Project. Practically no changes were made in the contract as originally prepared by the reclamation service and the irrigation district directors. The only noticeable change was that the limit of expenditures which may be made by the federal government under this contract was raised to one million dollars. It was set at eight hundred thousand dollars in the tentative contract.

Before the contract is binding it must first be authorized by a two-thirds majority of the land owners residing within the irrigation district. The election to ratify the contract will be held on Saturday,

September 22, in the five precincts of the district. There will be no opposition to the contract.

The chief provision of this very important "scrap of paper" is that the federal government will expend one million dollars in rebuilding and repairing the King Hill project. An essential qualifying provision is that the money must first be appropriated by congress. The bill which has passed congress promises the expenditure of but six hundred thousand dollars, one-third of which will be available every year for three years. It is figured that the appropriation as made will take care of the project, but the contract is made to include an extra four hundred thousand as a safety precaution and to care for the possibility of the project's being enlarged.



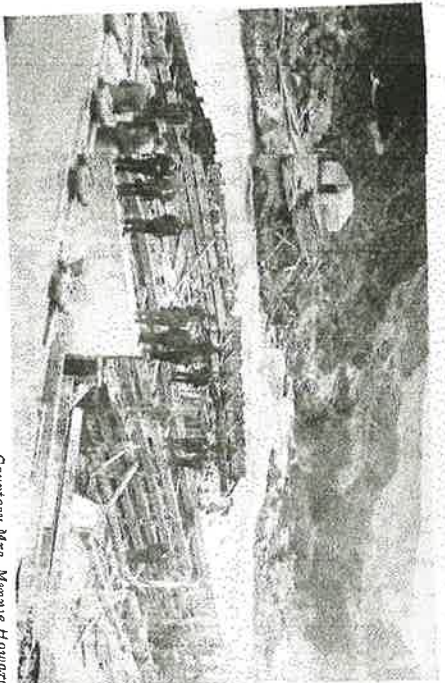
Malad River, Supply Source for Kings Hill Project
Courtesy Mrs. Minnie Howard

The State of Idaho has agreed to deliver to the federal government all of the ditch system of the project for the sum of one dollar. The state's expenditure on the tract probably aggregates about \$100,000, including the purchase price of \$80,000. The state's purchase of the tract wiped out all previous indebtedness, and the system is now turned over to the federal government with no strings attached.

The project will remain in the control of the state until the state's appropriation for it has been exhausted, which will probably not be until after the crop season of 1918. When the state releases control of the tract, the water delivery will be managed by the board of directors of the irrigation district.

Under the terms of the contract the payment for the cost of rebuilding the system, whatever the amount shall be, shall be paid in five equal annual installments, without interest, the first installment to be paid December 1, 1921.

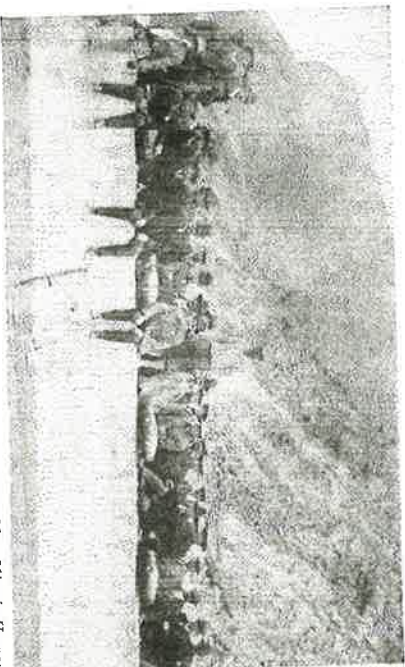
There is an entailed provision that is very important. If, in 1921 a settler has 20 percent of his land under cultivation, he will be re-



Construction on Malad River Dam and Flume
Courtesy Mrs. Minnie Howard

quired to pay 2 percent of his water right cost the first year; if in 1922 he has 40 percent under cultivation, he will pay but 2 percent the second year; and if in 1923 he has 60 percent under cultivation he will pay but 2 percent the third year. The remainder of his payments will be one or two percent, two or 4 percent, and 4 or 6 percent, making 20 annual payments in all.

The terms are that payments are to be by the district to the United States the burden of collection falling upon the district and not upon the government, and the responsibility for payments to the



Inspectors at Malad River Dam
Courtesy Mrs. Minnie Howard

384 ELMORE COUNTY—ITS HISTORICAL GLEANINGS

the year 1910. The prizes won at the fair were on potatoes, cabbage, mammoth squash, tomatoes, corn, soft-shelled almonds, black walnuts, grapes, peaches and other garden products to the extent of 21 prizes.

J. B. Heller's father was a railroad man in New York. Joseph died at the age of 70 years, March 26, 1933, at his home.

EPPERSONS ATTAIN HALF CENTURY OF MARRIED LIFE

(From a newspaper clipping in the year 1944)

Mr. and Mrs. Thomas C. Epperson, pioneer Idahoans, celebrated their golden wedding anniversary August 15th at their home at King Hill. They lived in Mountain Home 21 years and have since resided at King Hill.

Thomas Epperson was born in Riceville, Tennessee, in 1869, and came to Idaho when he was eight years old. The family settled at Bruneau. Epperson is one of the few survivors of the settlers besieged by Indians at Bruneau during the Bannock War in June, 1878. He attended school at Boise, and after finishing his schooling, moved to Elmore County.

Ida May Walker, who became his wife, was born at Cold Springs Creek, Elmore County, a stage station and post office in the Old Oregon Trail, in 1875. Her parents kept the post office and station there for a number of years, and she became acquainted with Epperson when he and his father ran sheep near the Walker Ranch.

On August 15, 1894, they were married at the Walker Home at Cold Springs by Judge C. C. Glenn of Glenns Ferry, and spent their honeymoon in the mountains near Atlanta.

Four children were born, three of whom are living. Mrs. James W. Stewart, of Mountain Home; Mrs. R. Lynn Parsons, formerly of Boise and now of Fort Benning, Georgia; and Mrs. Harry W. Brown, Jr., of Ogden. There are three grandchildren, Mrs. Rex V. Fairless, Robert Alynn Parsons and Harry Brown, of Illinois, and Lila who passed away in about 1920 in Mountain Home.

KING HILL ONCE HAD FRUIT BOOM

(Copied from a clipping furnished by Mrs. Bessie Woodard)

"She was a fruit boom right, and I'm a bugger for fruit," says King Hill oldie, A. P. Carnahan. "But I was lucky enough NOT to have the money with which to buy trees."

King Hill was opened for settlement under the King Hill Irrigation project in October 1908, with water enough for 15,000 acres promised for the following spring. Drawer of first ticket was Henry Jones, who had pooled his chances with Carnahan. The later had come down from Yakima when he heard of Idaho's King Hill opportunity.

Though the fruit "boomers" were driven out by bad luck and the



The lucky numl
Pennsylvania, o:

high cost of wa
from the soil. I
out again. Toda

Among the ol
came in on dese
and now spends
mountains

Vic Walker v
country "as fast
got out because
up to Cold Sprin

"As a boy I s
the Old Oregon
Indians, and I
now."

In his early
country, staked
and had to rep
fine big horses a

"A country th
to retire on is
writer.

VICTOR WAL

According t
custom among
goods and me

1908= we had water on South side of River
1910= King Hill Bridge built to get water
on North side of river.

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the great project of the North Side Twin Falls Extension Irrigation Company stretches out for miles, and most of this project when completed will trade at the town of Hammett as it is the logical, downhill trading and transportation center of this great area. Just across the river on the south is the famous Bruneau Extension, on which over a million dollars has been spent in exploitation work and the building of which seems now assured. In this project is over 600,000 acres of fertile land, a large part of which will by force of circumstances do its trading in the town of Hammett. To the southwest is the famous Bruneau Valley, one of the richest in Idaho. The enterprising citizens of Hammett and Medbury Valley have constructed a wagon road from Hammett to Bruneau and now have the shortest and most easily accessible road for the people of this valley to a railway point. This means that the great quantities of wool, sheep, cattle and the many other products of the large Bruneau Valley will find their outlet through Hammett, Idaho, thus adding to its growth and development.

A tract of land known as the Brown's Flat, directly west, will be served with water within another season. All of this land will find Hammett its logical trading and transportation center, as a first-class wagon road is already constructed from this locality to the town of Hammett.

PIONEER LIFE IN HAMMETT VALLEY

(Information supplied by Mr. and Mrs. F. E. Wilson)

A very few pioneers came to Hammett Valley before 1908, and nothing definite can be found about them.

The Wilsons came in 1908 and were met at the train by Charlie Turner and bought land with W. J. Turner of Mountain Home on which they built the first ranch home. The first place adjoined the present homesite of Frank Wilson whose home was built in 1909, after clearing off the sagebrush on that location. They have resided there to the present time, of course remodeling the house to make it more comfortable and to give more rooms. To this ranch they have added many acres along the river front and several islands.

Jim Wadell, another early settler, also had a ranch east of the Frank Wilson place. The Turners and Wilsons used a pumping plant the two years they lived on the place, and in 1910 the Kings Hill Irrigation Project came into the valley, then known as the Medbury Valley.

The Clark and Rice families were other early settlers of the valley with the Rice family locating on the highway where their chicken sandwiches in later years became well

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Henry C. Jones

Glenns Ferry, Idaho.

Lot 2, Sec. 18, Twp. 5, Rg. 11, E.W.B.;
containing 31.86 acres. No. shares 31.86.

PAID \$207.09

MAINTENANCE ACCOUNT
DUE FOR THE YEARS 1910, 1911, 1912

DUE FOR THE YEARS 1910, 1911, 1912

(AS PER STATEMENT FURNISHED BY THE CONSTRUCTING COMPANY)

Amount due on account 1913 maintenance

1914	1915	1916	1917	1918	1919	1920	1921	1922	1923	1924	1925	1926	1927	1928	1929	1930	1931	1932	1933	1934	1935	1936	1937	1938	1939	1940	1941	1942	1943	1944	1945	1946	1947	1948	1949	1950	1951	1952	1953	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964	1965	1966	1967	1968	1969	1970	1971	1972	1973	1974	1975	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100	2101	2102	2103	2104	2105	2106	2107	2108	2109	2110	2111	2112	2113	2114	2115	2116	2117	2118	2119	2120	2121	2122	2123	2124	2125	2126	2127	2128	2129	2130	2131	2132	2133	2134	2135	2136	2137	2138	2139	2140	2141	2142	2143	2144	2145	2146	2147	2148	2149	2150	2151	2152	2153	2154	2155	2156	2157	2158	2159	2160	2161	2162	2163	2164	2165	2166	2167	2168	2169	2170	2171	2172	2173	2174	2175	2176	2177	2178	2179	2180	2181	2182	2183	2184	2185	2186	2187	2188	2189	2190	2191	2192	2193	2194	2195	2196	2197	2198	2199	2200	2201	2202	2203	2204	2205	2206	2207	2208	2209	2210	2211	2212	2213	2214	2215	2216	2217	2218	2219	2220	2221	2222	2223	2224	2225	2226	2227	2228	2229	2230	2231	2232	2233	2234	2235	2236	2237	2238	2239	2240	2241	2242	2243	2244	2245	2246	2247	2248	2249	2250	2251	2252	2253	2254	2255	2256	2257	2258	2259	2260	2261	2262	2263	2264	2265	2266	2267	2268	2269	2270	2271	2272	2273	2274	2275	2276	2277	2278	2279	2280	2281	2282	2283	2284	2285	2286	2287	2288	2289	2290	2291	2292	2293	2294	2295	2296	2297	2298	2299	2300	2301	2302	2303	2304	2305	2306	2307	2308	2309	2310	2311	2312	2313	2314	2315	2316	2317	2318	2319	2320	2321	2322
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DR.	CR.
57	57
36	36
19	
12	
19	
12	
19	
12	

Amount due on account 1917 maintenance

1918

31.86
31.86

June 11th 1913

Aug. 5th 1914 (By A.W. Tinswall)

Apr. 6th 1915 (By Evans)

Apr. 8th 1916

May 8th 1917

The records for 1910, 1911, 1912 were lost due to fire.

RECEIVED
AUG 23 2004
DEPARTMENT OF
WATER RESOURCES

That the general course of the proposed canal or conduit is to divert said water of said Creek by means of a pipe for the generation of power. That the length of said proposed canal or conduit is sufficient for the installation of the proposed power plant.

A copy of this notice was duly posted at or near the point of intended diversion on the fifteenth day of July, 1902.

WITNESS my hand at Shoshone, County of Lincoln, State of Idaho, this 4th day of August, 1902.

J.J. Blow, Appropriator and Claimant

State of Idaho, County of Lincoln, SS. J.J. Blow of Shoshone, County of Lincoln, State of Idaho, being first duly sworn deposes and says that he is the appropriator and claimant of the Water Right described in the within and foregoing notice and whose name is subscribed thereto. That the statements in said notice are true and that the original notice of which the foregoing is a true copy was posted in a conspicuous place at or near the point of intended diversion at 12 o'clock M., the 15th day of July, 1902.

J.J. Blow.

Subscribed and sworn to before me this 4th day of August, 1902. A.I. McMahon, Rec. (Seal)
Recorded at request of J.J. Blow at 10 o'clock A.M. August 4th, 1902. A.I. McMahon, Co. Recorder.

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Glenns Perry Land and Irrigation Co. from Malad River.

State of Idaho, County of Lincoln, SS.

TO ALL CONCERNED, NOTICE IS HEREBY GIVEN: Ist. That Glenns Perry Land and Irrigation Co. of Glenns Ferry, Idaho hereby claim the use of the waters of the Malad River to the extent of 500 cubic feet per second. It is intended to divert said water at or near the point where a copy of this notice is posted, and more definitely described as follows; At a point on the North side of said river near the Section corner between the Sections 26-27-34 & 35 Twp. 6 S. R. 13 E. and distant above County Bridge 4220 feet.

The purpose for which said water is intended to be used is irrigation purposes on land to be segregated under the Carey Act. The place of its intended use is Twp 5 S R 10 & 11 E. Tp 6 S R 11 & 12 E on South side of Snake River. It is intended to divert said water by means of head gate and canal. The general course of the proposed conduit is North West. The length of the proposed conduit is thirty miles. The destination of the proposed conduit is near 1/4 corner between Sec 23 & 26 Tp. 5 S R 10 E. It is intended to use said waters for irrigating the following described lands: Part of Tp. 5 S R 10 E part of Tp. 6 S R 10 E. The area of the lands proposed to be irrigated by said conduit is 13440. x.
Witness my hand at Glenns Ferry Idaho, this 7th day of August 1902.

Glenns Perry Land & Irrigation Co., Claimants,

By Ernest Pearson, President.

State of Idaho, County of Elmore, SS. Ernest Pearson being first duly sworn depose and say that he is of lawful age and a claimant of the Water Right mentioned in the foregoing notice and whose name he subscribed thereto. That the statements in said notice are true, and that the original notice of which the foregoing is a true copy was posted in a conspicuous place at or near the place of intended diversion (as provided by law) on the 8th day of August 1902, at 30 minutes past 2 o'clock P.M.

Ernest Pearson.

Subscribed and sworn to before me this 9 day of August 1902 And I further certify that on the date last above given personally appeared before me the a fiant above named, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

James Mullany.

Justice of the Peace.

Recorded at request of Ernest Pearson at 9 A.M. August 11th, 1902. A.I. McMahon, Co. Recorder.

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Calvin S. Allen from Big Wood River

TO WHOM IT MAY CONCERN: NOTICE IS HEREBY GIVEN, That Calvin S. Allen, of the County of Lincoln, State of Idaho, has this 14th day of August, 1902 appropriated and hereby claims the use of the waters of Big Wood River to the extent of One Hundred cubic feet per second flowing at the point of intended diversion, which said point of intended diversion is particularly described as follows: to-wit: at the dam now owned by Gottlieb Gherig, South of the Cottonwood Butte on Big Wood River. That the special purpose or purposes for which said water is claimed is irrigation and domestic. The place of its intended use is from the point of diversion along Big Wood River to the mouth of Thoren Creek.

That the general course of the proposed canal or conduit is South and West.

That the length of said proposed canal or conduit is about fifteen miles.

That the water above claimed is to be stored in Reservoirs located directly North of the Hanley Butte and also in a reservoir South of the Black Buttes, on what is commonly known as the Kimpton Burn, in Lincoln County, Idaho.

A copy of this notice was duly posted at or near the point of intended diversion on the 6th day of August, 1902.

Calvin S. Allen, Appropriator and claimant.

State of Idaho, County of Lincoln, SS. Calvin S. Allen of Shoshone, County of Lincoln, State of Idaho being first duly sworn, deposes and says that he is of lawful age and the appropriator and claimant of the water Right mentioned in the foregoing notice and whose name is subscribed thereto. That the statements in said notice are true and that the original notice of which the foregoing is a true copy was posted in a conspicuous place at or near the point of intended diversion at 3.30 P.M., the 6th day of August, 1902.

Calvin S. Allen

Subscribed and sworn to before me this 14th day of August, 1902. A.I. McMahon, Clerk. (Seal)
Recorded at request of Calvin S. Allen at 2 P.M. August 14th, 1902. A.I. McMahon, Co. Recorder.

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Arcturus Z. Conrad at Shoshone Falls.

TO WHOM IT MAY CONCERN: NOTICE IS HEREBY GIVEN, That Arcturus Z. Conrad of New York City, State of New York, has this 13th day of September, 1902, appropriated and hereby claims the use of the waters of Snake River, in Lincoln County, State of Idaho, to the extent of One Thousand cubic feet per second, flowing at the point of intended diversion, which said point of intended diversion is particularly described as follows, to-wit: About fifty feet above what is known as Bridal Veil Falls at Shoshone Falls, Situate in Lot 9: Section 31, Township 9 South, of Range 18 East of the Boise Meridian in Lincoln County, State of Idaho, and where this notice is posted.

That the special purpose or purposes for which said water is claimed is for Irrigation, Power Mining and Domestic purposes. The place of its intended use is at or near the Shoshone Falls.

That the general course of the proposed canal or conduit is Westerly along the North bank of the Snake river. That the length of the proposed canal or conduit is about one thousand feet. Said water is to be diverted by means of a dam, and ditch, tunnel and pipe line.

the point of intended diversion on the 14th day of March 1902. Witness My hand at Boise County of Ada State of Idaho, this 14th day of March 1902. Washington Irrigation and Colonization Company By Geo.W.Baker, authorized agent for Idaho. *By Geo.W.Baker*

State of Idaho, County of Ada, SS. Geo.W.Baker being first duly sworn, deposes and says that he is of lawful age and is duly authorized agent for Idaho of the appropriator and claimant of the water right described in the within and foregoing notice and whose name is subscribed thereto. That the statements in said notice are true, and that the original notice of which the foregoing is a true copy, was posted in a conspicuous place at or near the point of intended diversion at 12 o'clock M., the 14th day of March 1902. Geo.W.Baker Subscribed and sworn to before me this 14th day of March 1902. D.D.Williams, Notary Public. Recorded at request of Geo.W.Baker March 17th 1902 at 9 A.M. A.I.McMahon, Recorder.

000:111:000

State of Idaho, County of Lincoln, SS. TO ALL CONCERNED. NOTICE IS HEREBY GIVEN.

1st. That Ralph A. Goodliffe a citizen of the United States hereby claims the use of the waters of Malad River in Lincoln County, Idaho to the extent of five hundred cubic feet per second. It is intended to divert said water at a point where a copy of this notice is posted, and more definitely described as follows: on the north side of said river about 660 feet East of Section corner between Sec's 26, 27, 34 & 35 T.6 S.R.13 E. and above the mouth of the River about 2600 feet.

2nd The purpose for which said water is intended to be used is mining and irrigation. The place of its intended use is T 6 S R 13 E. T 6 S R 12 E & T 6 S R 11 E on the South side of Snake River 3rd. It is intended to divert said water by means of flume pipe and ditch. The general course of the proposed canal or conduit is West until it crosses Snake River thence N.W. The length of the proposed conduit is Twenty Miles. The destination of the proposed conduit T 6 S R 11 E. It is intended to use said waters for mining and irrigating the following described lands: part of T 6 S R 13 E. T 6 S R 12 E & T 6 S R 11 E. The area of the lands proposed to be irrigated by said conduit is ... WITNESS my hand at Malad River Idaho, this 30th day of March 1902. Ralph A. Goodliffe, Claimant.

State of Idaho, County of Ada, SS. Ralph A. Goodliffe being first duly sworn deposes and says that he is of lawful age and the claimant of the water right mentioned in the foregoing notice and whose name is subscribed thereto. That the statements in said notice are true, and that the original notice, of which the foregoing is a true copy, was posted in a conspicuous place at or near the point of intended diversion (as provided by law) on the 30th day of March 1902 at 30 minutes past 11 o'clock A.M. Ralph A. Goodliffe

Subscribed and sworn to before me this 1st day of April 1902. And I further certify that on the date last above given personally appeared before me the affiant above named, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written. Miller G. Cage. (Seal) Recorded at request of R.A. Goodliffe April 2nd, at 9 A.M. A.I. McMahon, Recorder.

000:111:000

State of Idaho, County of Lincoln, SS. TO ALL CONCERNED. NOTICE IS HEREBY GIVEN: 1st. That we the undersigned citizens of the United States hereby claims the use of the waters of Malade River to the extent of Five hundred cubic feet per second. It is intended to divert said water at or near a point where a copy of this notice is posted, and more definitely described as follows: At a point on the North side of said River near Sec. corner between Sec 26, 27, 34 & 35, T 6 S R 13 E and distant above bridge on Bliss Hagerman Road 4220 ft. 2nd. The purpose for which said water is intended to be used is irrigating and power purposes. The place of intended use is T 5 S R 10 E. T 6 S R 11 E T 6 S R 12 E on South side of Snake River 3d. It is intended to divert said water by means of lead gate flume pipe and canal. The general course of the proposed conduit is North West. The length of the proposed conduit is Thirty Miles. The destination of the proposed conduit is near 1/4 cor between Sec 25 & 26 T 5 S R 10 E. It is intended to use said water to irrigate the following described lands: Part of T 5 S R 10 E Part of T 5 S R 11 E Part of T 6 S R 11 E Part of T 6 S R 12 E. The area of land proposed to be irrigated by said conduit is 13440 Acres. WITNESS our hands at Glenns Ferry Idaho, this 26 day of March 1902 H.G.Rapp Ernest Pearson, Claimants.

State of Idaho, County of Elmore? SS. Herman G. Rapp being first duly sworn deposes and say that he is of lawful age and the claimant of the water right mentioned in the foregoing notice and whose name is subscribed thereto. That the statements in said notice are true and that the original notice, of which the foregoing is a true copy, was posted in a conspicuous place at or near the place of intended diversion on the 27 day of March 1902 at fifty minutes past ten o'clock A.M. H.G.Rapp. Subscribed and sworn to before me this 28 day of March 1902. And I further certify that on the date last above given personally appeared before me the affiant above named, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written. James Mullaney, Justice of the Peace

Recorded at request of H.G.Rapp March 29th, at 9 A.M. A.I. McMahon, Recorder.

000:111:000

To Whom it may concern, Notice is hereby given that P.M. Niles, T.E. Thompson, C.S. Thompson and W.H. Clifford of Lincoln County, State of Idaho, have this third day of April 1902 appropriated and hereby claim the use of the waters of this spring known as the Weatherby Spring situated

See file CA-8-4-Water Rights

LOCATION NOTICES

Tributary to		County		Source		Page	
Water District		Shoshone		Subdivision		Twp. Range	
YEAR	NO.	APPROPRIATOR	POSTED	RECORDED	AMOUNT	DIVERSION	
1894	75	B. S. Sullivan	3-5-84	4-27-94	2.000	6 miles above Dickard's diversion	
1899	25	C. A. Goodly	1-23-99	2-1-99	100	1 1/2 miles north from mouth	
1898	2	Mullins Canal Co	1-1-98	1-2-98	1000	2700 ft. 80 ft. 15-68-145	
"	14	C. A. Goodly, et al.	1-1-98	4-2-98	5000	1 1/4 miles above mouth	
1898	242	Martinez	7-14-98	7-21-98	5000	1 1/4 miles above mouth	
1898	201	" et al.	4-16-98	5-24-98	500	1 1/2 " "	
1899	517	Martinez et al.	10-10-99	10-28-99	500	1 1/2 miles above mouth	
1900	216	C. A. Goodly	5-9-00	5-26-00	500	1 1/2 " "	
"	249	C. A. Goodly	5-31-00	6-3-00	10	1 mile above mouth	
1900	236	A. S. Rogers et al.	3-31-00	5-28-00	500	1 mile above mouth	
"	156	C. A. Goodly	3-30-00	4-2-00	500	1 mile above mouth	
1900	599	Martinez et al.	8-8-00	8-13-00	500	1 mile above mouth	
"	682	T. J. Sullivan et al.	8-31-00	9-13-00	700	1 mile above mouth	
1903	24	C. A. Goodly	1-15-03	1-20-03	700	1 mile above mouth	

KEATING CAREY LAND COMPANY PROJECT

Carey Act Number:	22
Location: (See Figure 9)	Lemhi County
Acres Segregated:	15,226.71
Acres Patented:	3,683.50
Estimated Cost:	\$250,000.00
Final Cost:	\$49,500.00
Comments:	Insufficient water supply hampered development of the project

In 1910 Mr. Tom Keating filed a proposal with the State Land Board to reclaim land under the Carey Act. The construction company for the project was to be the Keating Carey Land Company. Water was to be taken from Timber Creek, the West Fork of Timber Creek, and Eight-Mile Creek; and diverted to lands lying in Lemhi County through the use of a main canal 5½ miles long and some small dams. The company placed the estimated cost of the project at \$250,000.00.

The State Engineer reported that the project would only be feasible if a diversion was made on Timber Creek. The company agreed to this and a contract between the State of Idaho and the Keating Carey Land Company was signed in 1912.

By 1913 the company had made one diversion from Timber Creek and none from the other creeks. Everyone realized by now that the water supply had been grossly overestimated. The State of Idaho agreed to advertise an opening on 4,000 acres only on the condition that the company would relinquish back to the federal government 5,203.08 acres, which the company agreed to do.

By 1916 the water shortage was critical and the company was ordered to cease selling water rights and an additional 6,317.64 acres were relinquished. With the acreage left the project was deemed completed by the state in 1919 and it was authorized that the settlers could take over the project through their operating company, the Keating Canal Company.

At the time the state accepted the contract the company still had water rights outstanding in excess of 3,400 shares. The General Land Office required that the company reduce its shares before a patent would be issued. By the end of 1919 the company complied with the request and 2,516.51 acres were patented to the settlers. Two more patents were later granted bringing the total to 3,683.50 acres.

With the reduced acreage the project cost \$49,500.00. In proportion to the original estimated cost and the acres originally segregated, the company still exceeded the estimated cost.

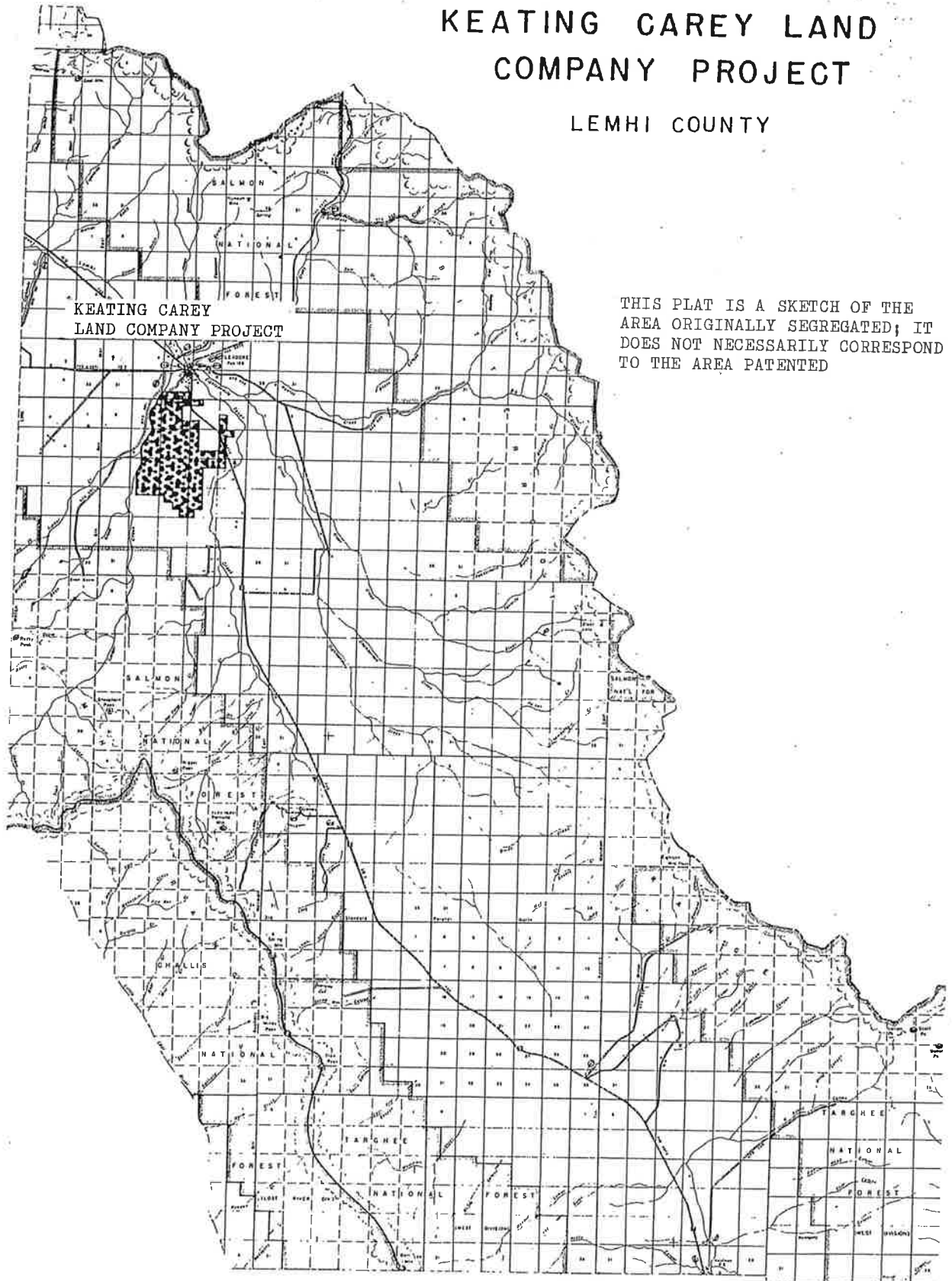
KING HILL PROJECT

Carey Act Number:	8
Location: (See Figure 10)	Owyhee, Elmore, Gooding, and Twin Falls Counties

FIG. 9

KEATING CAREY LAND COMPANY PROJECT

LEMHI COUNTY



KING HILL PROJECT (cont'd.)

Acres Segregated:	17,666.22
Acres Patented:	For both projects 13,702.71
Estimated Cost:	\$600,000.00
Final Cost:	For both projects \$2,982,332.00
Comments:	Poor construction and high costs, the only projects to be taken over and completed by the federal government

KING HILL EXTENSION PROJECT

Carey Act Number:	9
Location: (See Figure 10)	Owyhee and Elmore Counties
Acres Segregated:	9,454.51
Acres Patented:	For both projects 13,702.71
Estimated Cost:	\$465,000.00
Final Cost:	For both projects \$2,982,332.00
Comments:	Very unsuccessful

The first project in this area was started in May of 1903 by the Glenns Ferry Land and Irrigation Company. It was located in Owyhee, Elmore, Gooding, and Twin Falls counties with water supply from the Malad River. The company requested the first segregation on March 8, 1904 for 17,666.22 acres of land. By 1908 the company was deep in debt and having problems with the construction. In an attempt to secure additional financing it was dissolved and reorganized into the King Hill Irrigation and Power Company.

With the new reorganization the company again started construction of the diversion works. Water was obtained at the point of diversion and carried in a flume and a canal to the Snake River, there it crossed the river by means of an inverted siphon. Once on the other side of the river a canal was constructed in earth alongside of the mountain for approximately 20 miles. Due to the poor foundation of the canal, seepage was great and the walls were prone to break.

In 1908 the lands in the King Hill Project were open for settlement. It was also in 1908 that the company decided against consolidating and improving the original project, but instead expanded and started another project lower on the river, which was named the King Hill Extension Project. A request was filed with the state for a segregation of 9,454.51 acres of land in 1909. The upper or King Hill Project was reduced to about 10,000 acres, bringing the total for both projects to 19,000 acres.

Even in 1909 many people felt that neither the diversion works nor the water supply would be sufficient to reclaim the acreage in both projects. To provide water for the new project the Board of Directors of the King Hill Extension and Irrigation Company agreed to deliver 50% of its stock in exchange for 300 second feet of water from the King Hill Irrigation and Power Company.

By 1910 the companies were almost bankrupt and were trying to get the state to accept the contracts as completed and thus relieve them of any future burden. At the request of the settlers, who complained that the works were

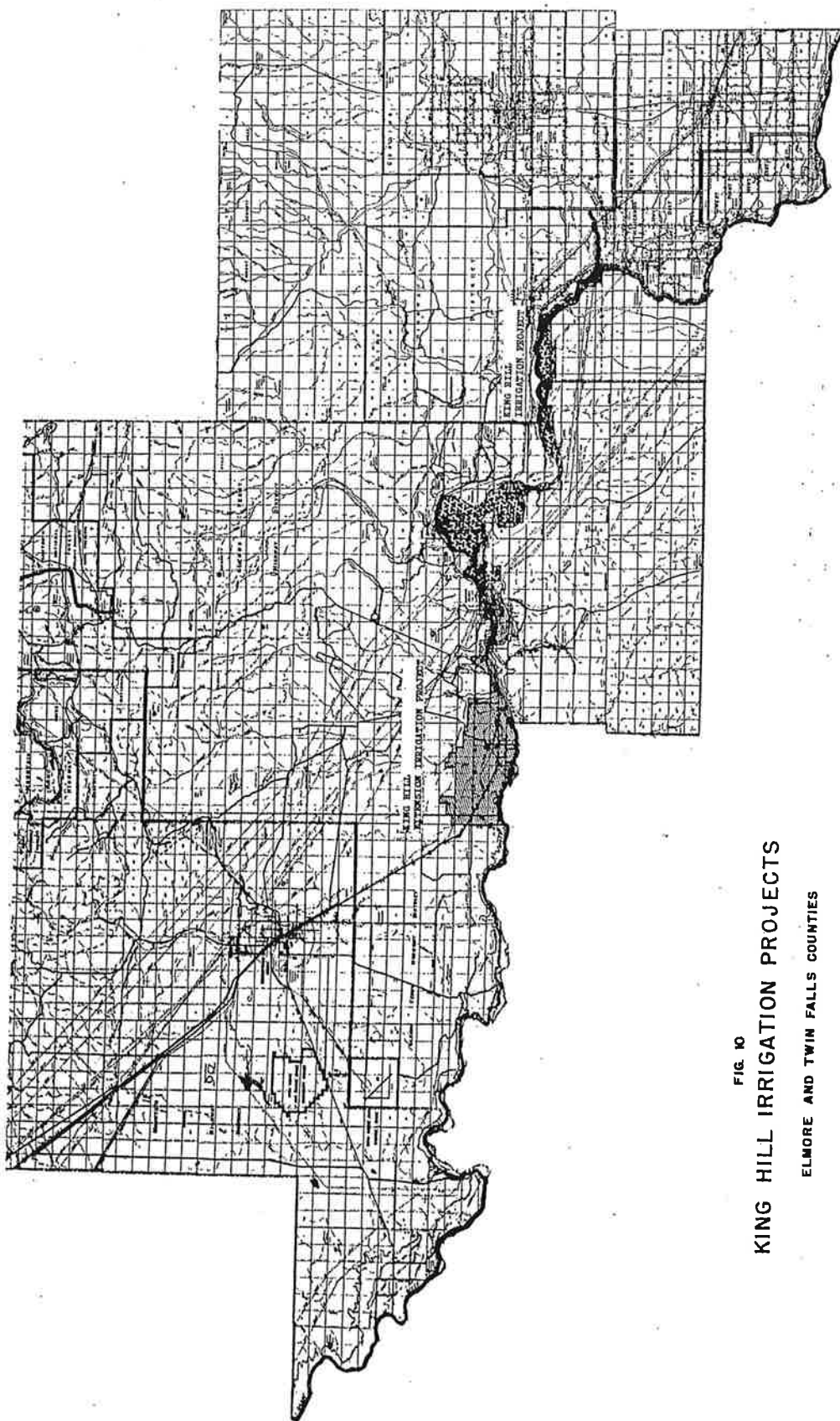


FIG. 10
KING HILL IRRIGATION PROJECTS
ELMORE AND TWIN FALLS COUNTIES

THIS PLAN IS A SKETCH OF THE AREA ORIGINALLY SUBMITTED;
IT DOES NOT NECESSARILY CORRESPOND TO THE AREA PATENTED

poorly constructed and the water supply was insufficient, the Attorney General for the State of Idaho started proceedings to compel specific performance of the contracts. The companies were unable to meet the terms of their contracts and were forced into bankruptcy, the contracts being forfeited in 1912. This wasn't the result the state had hoped for and action had to be immediately taken to protect the settlers on the project.

The State Land Board authorized the lending of Carey Act trust funds to deserving projects, subsequently the State of Idaho gave the receiver who held the project, \$35,000.00, taking receivership certificates as collateral to protect the loan. After this the project was to be sold pursuant to the Idaho Code at a sheriff's sale. On November 19, 1912 the project was advertised for sale in a local newspaper. On the date of the sale only one bidder appeared and he represented the State of Idaho. His purpose was to protect the interest of the state, represented by the receivership certificates. His bid of \$30,000.00 was accepted and the State of Idaho became the owner of two Carey Act projects.

Realizing that it did not have the ability nor the assets to complete the contracts, the State of Idaho began negotiations with the United States Reclamation Service whereby they would take over the project. To facilitate the negotiations the State Legislature in 1913 authorized that the projects could be turned over to the federal government. Between 1913 and 1914 when the negotiations were in progress the projects were operated by the receiver. Approximately \$18,500.00 was loaned by the State of Idaho during this period to keep the projects alive. In 1915 a manager was appointed by the state and he operated jointly with the receiver for two years. In 1915 an additional \$26,000.00 was appropriated by the State Legislature. The United States Reclamation Service indicated that before they would assume control of the project an irrigation district would have to be formed. Pursuant to this request the King Hill Irrigation District was formed in 1916.

It was in 1917 that the federal government agreed to take over the project and complete it as much as possible. By this time the project had been reduced by relinquishments to around 16,000 acres. The State of Idaho quit-claimed all of its interest in the project to the United States Reclamation Service and the state also agreed that the \$26,000.00 appropriated by the 1915 Legislature could be used for annual maintenance. It was also in 1917 that the United States Congress appropriated \$200,000.00 yearly until completion of the project. In 1919 the construction had been largely completed and the lands that couldn't be reclaimed were relinquished back to the federal government and the areas of the project consolidated.

The King Hill projects were two of the most dismal of the Carey Act undertaking. The estimated cost of both projects was placed at about one million dollars while the final cost probably ran closer to three million dollars. Over one million dollars was spent by the original construction company and its backers, almost two million dollars was spent by the federal government, and over eighty thousand dollars by the State of Idaho. The original construction company had gone bankrupt and much of the land was relinquished back to the federal government; however, 13,702.71 acres of previously desert land had been patented to Idaho farmers, and the project is still very active.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866 www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 23, 2004

37-4112
KING HILL IRRIGATION DISTRICT
PO BOX 428
KING HILL ID 83633

Re: Evidence of Priority Date

Dear Claimant:

RESPONSE DEADLINE
AUGUST 20, 2004

The Notice of Claim to a Water Right (claim) identified with the number shown above your name has been filed in the Snake River Basin Adjudication (SRBA). The claim indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historic use of water, dating back to when water was first used for the purpose claimed, and are termed beneficial use rights. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. Since the priority date and historic use of a beneficial use right cannot be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed and the historic use of the water.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to Idaho Department of Water Resources (IDWR). If you have received this correspondence from the previous owner of the property it is recommended that you file a Change of Ownership form with IDWR in order to receive future mailings and to participate in the adjudication.

Enclosed you will find a computer printout of your claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: IDWR will recommend the SRBA Court decree the claim disallowed if no evidence of the priority date and of the historic use is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement should be in the form of a notarized affidavit.

Please submit the required evidence supporting the priority date and the historic use by the date shown above, referencing all documents with the corresponding claim number. If you have questions not covered by this letter or the enclosed pamphlet, please contact this office. Our toll free number is 1-800-451-4129.

Sincerely,

Carter Fritschle
Water Rights Supervisor

Enclosures
cc: Daniel V. Steenson