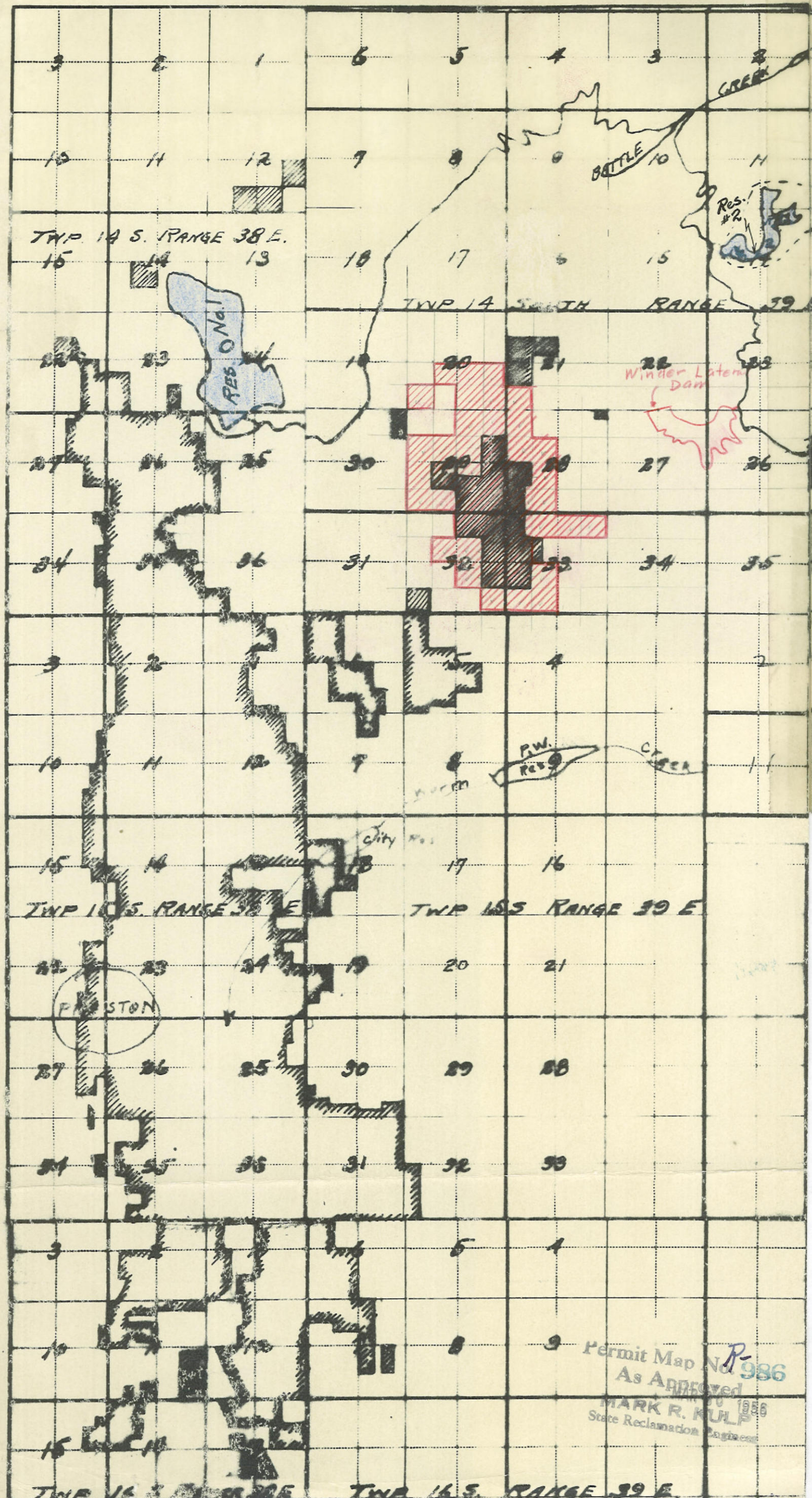
NAME OF APPLICANT TWIN LAKES CANAL CO. FORM No C



Permit Map No 986
As Approved
MAR 20 1956
MARK R. KULP
State Reclamation Engineer

NAME OF APPLICANT TWIN LAKES CANAL CO.

FORM No C

TWP 14 S. RANGE 38 E.

TWP 14 SOUTH RANGE 39 EAST

TWP 14 SOUTH RANGE 40 EAST

TWP 15 S. RANGE 38 E

TWP 15 S RANGE 39 E

PRESTON

Res. No. 1

Res. #2

Broken Line shows TOTAL DRAINAGE AREA EST 500 Acres

Winder Lateral Dam

BATTLE CREEK

BEAR RIVER

CANAL

MINK CREEK

TWIN LAKES

P.W. Res.

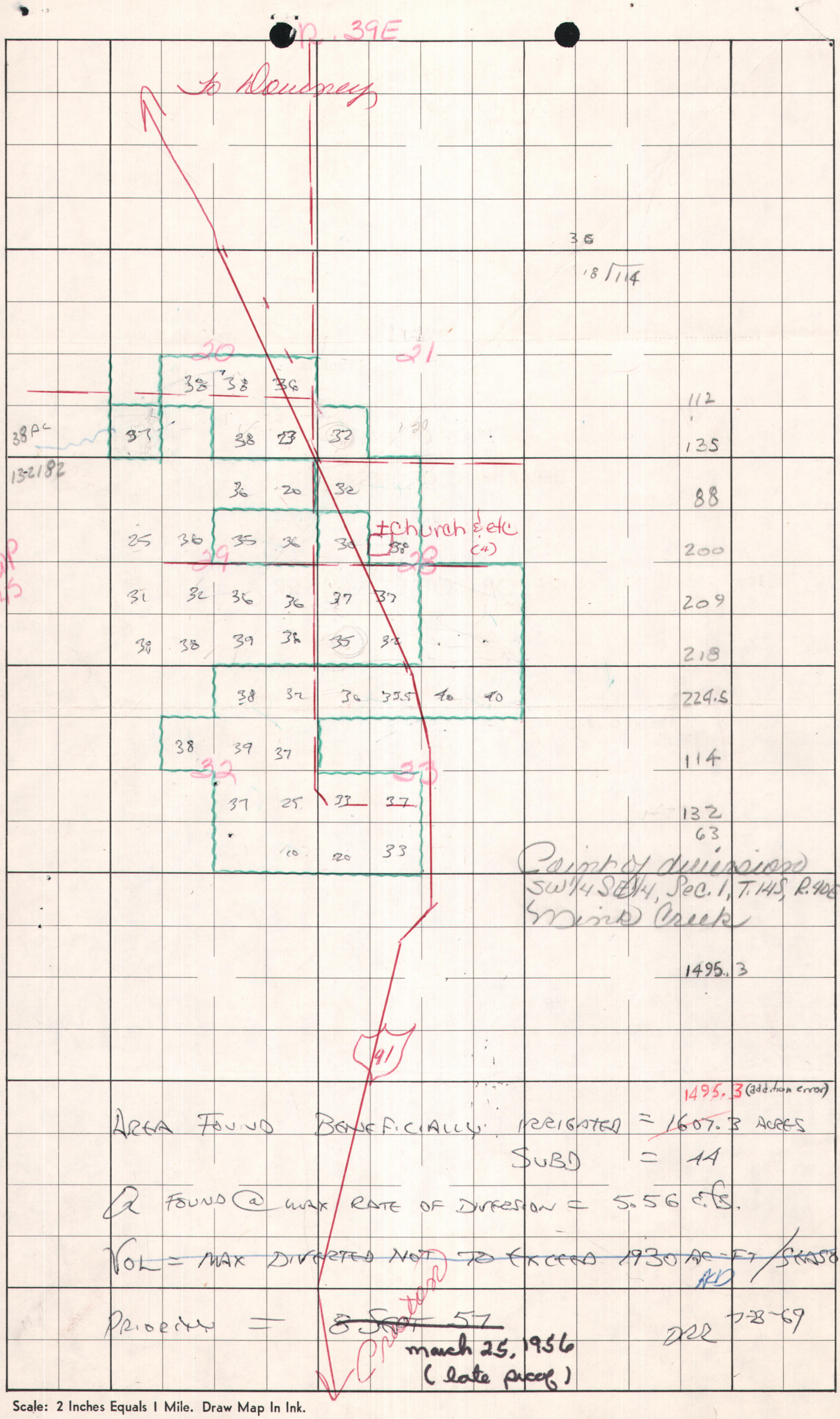
City

P.D.

=Land in application

NAME OF APPLICANT

FORM No C



38 AC

13-2182

TWP 14S

36

18 114

112

135

88

200

209

218

224.5

114

132

63

Point of diversion
SW¼ SE¼, Sec. 1, T. 14S, R. 40E
Smith Creek

1495.3

1495.3 (addition error)

AREA FOUND BENEFICIALLY IRRIGATED = ~~1607.3~~ ACRES

SUBD = 14

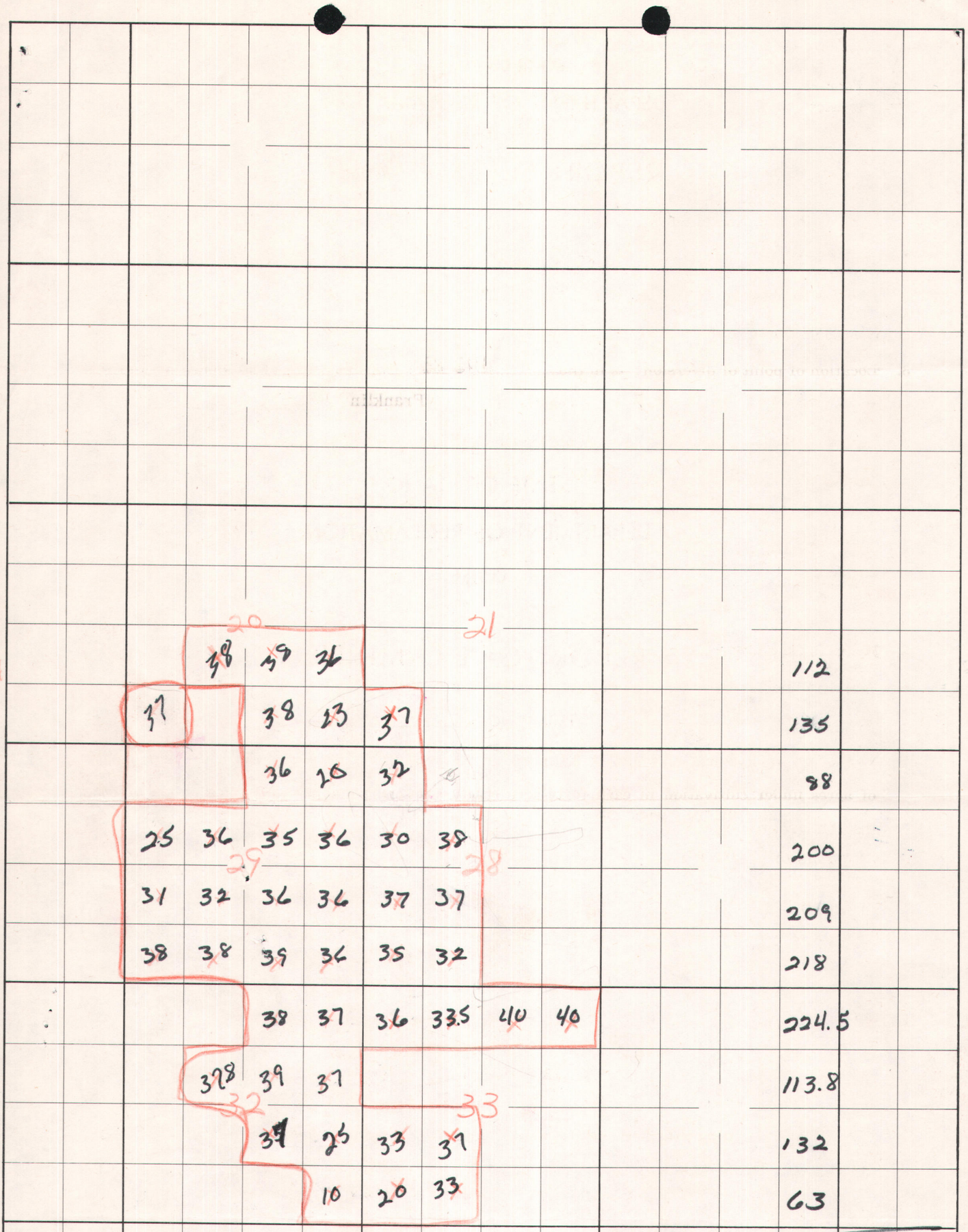
Q FOUND @ MAX RATE OF DIVERSION = 5.56 c.f.s.

VOL = MAX DIVERTED NOT TO EXCEED 1930 AC-FT/SEASON

PRIORITY = ~~6 Sept 57~~ March 25, 1956 (late proof)

DRE 7-8-69

Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.



~~1607.3 Acres~~

1495.3 (addition error)

AREA — 1495.3 ~~1607.3~~ Acres

SUBD — 44

Q — 5.56 cfs MAX RATE OF DIVERSION FOUND

VOL — 1900 1930 Ac-ft / season (3.5 Ac-ft)(180 days)

PRIORITY — ~~8 Sept. 57~~ 4/21/70

4 JRR 7-28-69

Scale: 2 Inches Equals 1 Mile. Draw Map In Ink. march 28, 1986 (date proof)

Check with S.N.C.
about clearing the
records of cancellation.

9-19-60

This permit cannot be
cancelled for failure to
complete works. The dam
is completed and well built
I have seen it. Do whatever
necessary to rescind the cancellation

[redacted]

L-986

No. 267

RECEIVED
OCT 7 1960
Department of Reclamation

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, } ss.
County of Franklin }

Vlon E. Smith, being duly sworn, deposes and says:

That he is the Publisher of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for four consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with August 18, 1960, and ending with the issue of September 8, 1960

Vlon E. Smith

Fees, $ 21.07

Subscribed and sworn to before me this 4 day of Oct, 1960.

Dave C. Greaves

Notary Public, Residing at Preston, Idaho

My Commission Expires 4-25-62, 19....

NOTICE FOR PUBLICATION OF COMPLETION OF WORKS

Notice is hereby given that at 10:00 a. m. on the 26th day of September, 1960, at Preston, County of Franklin, State of Idaho, before C. L. Swenson, a Notary Public, proof will be submitted of the completion of works for the storage of 1930 acre feet of water, of the waters of Mink Creek, in accordance with the terms and conditions of a certain permit heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name of the person or corporation holding said permit is Twin Lakes Canal Company.

2. The postoffice address of such person or principal place of business of such corporation is Preston, County of Franklin, State of Idaho.

3. The number of such permit is R 986, and the date set for the completion of such work was March 26, 1959.

4. Said water is to be used for irrigation purposes.

5. Said works of diversion were fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit is 1930 feet.

6. The amount of lands for which said water is available is 1760 acres, particularly described as follows: in sections 20, 21, 28, 29, 32, 33, all in T. 14 S., R. 39 E.B.M. under the company canal.

GEO. N. CARTER
State Reclamation Engineer

First Pub. Aug. 18, 1960
Last Pub. Sept. 8, 1960

R-986

Form 16.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
MAY 11 1962
Department of Reclamation
RECEIVED
MAY 16 1962
Department of Reclamation

Permit No. R - 986

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. J. Uless Nash, Preston, Idaho - Farmer - PO Address: Preston, Idaho

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

Ans. Twin Lakes Canal Company, President, Preston, Idaho

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

Ans. Permit No. R - 986 3-26-56 Mar. 26, 1956 3-8-56 Mar. 8, 1956

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

Ans. Source of supply is Mink Creek. Point of diversion is in the SW¼SE¼ of Section 1, Township 14 South, Range 40 East of the Boise Meridian.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. Diversion Works - Winder Lateral. Amount of water capable of conveying from point of diversion to place of use is 12 cfs.

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

Ans. Water is used for irrigation. Land is cultivated, and has been brought from desert land to production of irrigated crops through the application of water. Water is used upon the following described lands.

Twp.	Range	Sec.	NE¼ NE¼	NE¼ NW¼	NE¼ SW¼	NE¼ SE¼	NW¼ NE¼	NW¼ NW¼	NW¼ SW¼	NW¼ SE¼	SW¼ NE¼	SW¼ NW¼	SW¼ SW¼	SW¼ SE¼	SE¼ NE¼	SE¼ NW¼	SE¼ SW¼	SE¼ SE¼	Totals
14 S	39 E	20									40		40		40	40	40	40	240
		29	40	40	40	40			40	40	40	40	40	40	40	40	40	40	560
		32	40	40	40	40									40	40		40	320
		33	40	40			40												320
		28						40	40	40	40	40	40	40					280
		21											40						40

R-986

R-986

Form 17

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
MAY 11 1962
Department of Reclamation

RECEIVED
MAY 16 1962
Department of Reclamation

PERMIT NO. R - 986

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. Orval D. Robinson, Age 55, Preston, Idaho. Probate Judge, , Preston, Idaho

Ques. 2. Are you acquainted with Twin Lakes Canal Company, the holder of Permit No. R - 986? How long have you known him and where does he reside?

Ans. Have known the Company for over 30 years.

Ques. 3. Have you read or heard read said Permit No. R -986, and are you familiar with its provisions and conditions?

Ans. Yes.

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Source of supply - Mink Creek Place of diversion - In the SW¼ of SE¼ of Section 1, Tp. 14 S. Range 40 E.B.M.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 1930 acre feet to be store and used upon lands described.

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

Ans. Water is to be used for irrigation. Land is cultivated. Through use of water it has been redeemed from desert land to the production of crops of various kinds.

Land upon which the water has been used are described as follows:

Twp.	Range	Sec.	NE¼ NE¼	NE¼ NW¼	SW¼	SE¼	NW¼ NE¼	NW¼ NW¼	NW¼ SW¼	NW¼ SE¼	SW¼ NE¼	SW¼ NW¼	SW¼ SW¼	SW¼ SE¼	SE¼ NE¼	SE¼ NW¼	SE¼ SW¼	SE¼ SE¼	Totals
14 S	39 E	20									40		40		40	40	40	40	240
		29	40	40	40	40				40	40	40	40	40	40	40	40	40	560
		32	40	40	40	40				40					40	40		40	320
		33	40	40			40	40			40	40	40	40					320
		28						40	40	40	40	40	40	40					280
		21											40						40

R-986

R-986

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

Notice is hereby given that at 10 A.M. on the 13th day of April 1962, at Preston, County of Franklin, State of Idaho, before C. L. Swenson, a Notary Public, Preston, Idaho, proof will be submitted of the application to beneficial use of 1930 acre feet per second of the waters of Mink Creek in accordance with the terms and conditions of Permit No. R 986 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 Twin Lakes Canal Co., Preston, Idaho.

The use to which said water has been applied is Irrigation

The amount applied to beneficial use is 1930 Acre Feet.

The point of diversion of said water is in the S.W.¼ of S.E.¼ of section 1 Township 14S Range 40 EBM.

The place where said water is used is:

Twp.	Range	Sec.	NE¼ NE¼	NE¼ NW¼	SW¼ SE¼	NE¼ NE¼	NE¼ NW¼	NE¼ SW¼	SW¼ SE¼	SW¼ NE¼	SW¼ NW¼	SW¼ SW¼	SW¼ SE¼	SE¼ NE¼	SE¼ NW¼	SE¼ SW¼	SE¼ SE¼	Totals
14 S	39 E	20								40		40		40	40	40	40	240
		29	40	40	40			40		40	40	40	40	40	40	40	40	560
		32	40	40	40					40				40	40	40		320
		33	40	40		40	40				40	40	40					320
		28					40	40		40	40	40	40					280
		21											40					40

The date of priority which said user is prepared to establish is March 8, 1956.

GEO. N. CARTER
State Reclamation Engineer

First Pub. March 22, 1962
Last Pub. April 12, 1962

R-986

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

March 14, 1962

DEPOSITIONS ARE OF NO VALUE

UNLESS AFFIDAVIT OF PUBLICATION

IS ATTACHED

Re: Permit No. R-986
Twin Lakes Canal Co.

Mr. C. L. Swenson, Secretary,
Twin Lakes Canal Co.,
Preston, Idaho.

Dear Mr. Swenson:

This acknowledges the Notice of Proof of ~~Completion of Works and~~ Application of Water to Beneficial Use under Permit No. R-986, in the name of Twin Lakes Canal Company. Final Proof is to be made before you, as Notary on the 13th day of April, 1962, ~~1959~~, at 10:00 o'clock A.M., at Preston, Idaho.

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

It is important that the enclosed depositions be executed by the permit holder and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the time, on the date and before you, as Notary, as stated in the publication notice. 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, that your 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,

GEO. N. CARTER
State Reclamation Engineer

By:

Rule
(Mrs.) Edna P. ~~Rutledge~~
Chief Clerk

Encl.

EPR:Pk
cc: Applicant

R-986

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

July 28, 1960

Re: Permit No. R-986

DEPOSITIONS ARE OF NO VALUE
UNLESS AFFIDAVIT OF PUBLICATION
IS ATTACHED

Twin Lakes Canal Company,
Preston, Idaho.

Attention: C. L. Swenson, Secretary

Gentlemen:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. R-986. The proofs are to be made at 10:00 o'clock A.M., on the 26th day of September, 1960, before C. L. Swenson, Preston, Idaho, Notary Public.

As of this date we have mailed the Notice to the Preston Citizen with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof and 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,

GEO. N. CARTER
State Reclamation Engineer

By:

Rule
(Mrs.) Edna P. ~~Rutledge~~
Chief Clerk

Edna

R-986
ph 10-7-60-Rec. 30298

Encl.
EPR:pmk
cc: Notary

P.S. We are enclosing a photostatic copy of your permit as per your letter of July 22nd. There is a charge of $2.00, and your check in that amount should be made out to the Department of Reclamation.

FORM 8

RECEIVED
JUL 28 1960
Department of Reclamation

Notice for Publication

OF COMPLETION OF WORKS

Notice is hereby given that at 10:00 A. M., on the 26th day of September 1960, at Preston, County of Franklin, State of Idaho, before C. L. Swenson, a Notary Public proof will be submitted of the completion of works for the ~~diversion of x x x x cubic feet per second of the waters of~~ storage of 1930 acre feet of water, of the waters of Mink Creek, in accordance with the terms and conditions of a certain permit heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name of the perrson or corporation holding said permit is Twin Lakes Canal Company

2. The postoffice address of such person or principal place of business of such corporation is Preston, County of Franklin, State of Idaho.

3. The number of such permit is R 986, and the date set for the completion of such work ~~is~~ was March 26, 1959

4. Said water is to be used for irrigation purposes.

5. Said works of diversion ~~will~~ were be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is ~~twelve~~ 1930 Ac. Ft. ~~cubic feet per second~~.

6. The amount of lands for which said water is available is ~~2200~~ 1760 acres, particularly described as follows: in Sections 20, 21, 28, 29, 32, 33 all in T14S R39E BM under the company canal.

Geo. A. Carter
Commissioner of Reclamation.
State Reclamation Engineer

R-986

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

July 28, 1960

DEPOSITIONS ARE OF NO VALUE
UNLESS AFFIDAVIT OF PUBLICATION
IS ATTACHED

Re: Permit No. R-986

Twin Lakes Canal Company,
Preston, Idaho.

Attention: C. L. Swenson, Secretary

Gentlemen:

This acknowledges the Notice of Proof of Completion of Works ~~and Application of Water to Beneficial Use~~ under Permit No. R-986. The proofs are to be made at 10:00 o'clock A.M., on the 26th day of September, 1960, ~~#####~~ before C. L. Swenson, Preston, Idaho, , Notary Public.

As of this date we have mailed the Notice to the Preston Citizen with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof and 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,

GEO. N. CARTER
State Reclamation Engineer

By:

Rule
(Mrs.) Edna P. ~~Rockhold~~
Chief Clerk

R-986

Encl.
EPR: pmk
cc: Notary

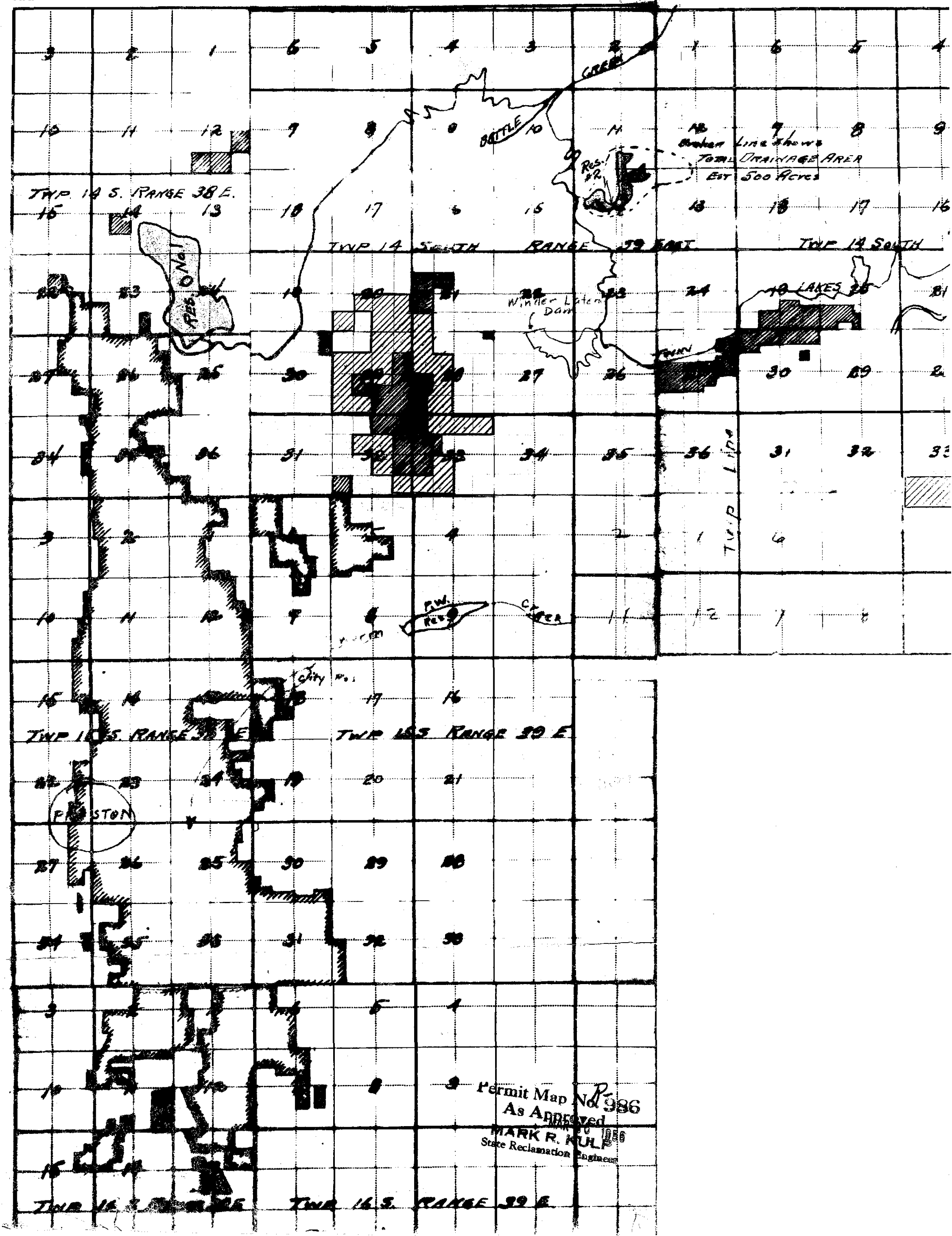
P.S. We are enclosing a photostatic copy of your permit as per your letter of July 22nd. There is a charge of $2.00, and your check in that amount should be made out to the Department of Reclamation.

Do not remove this map from file R-986. It is the only permit sketch approved.

R-986/13-2296

NAME OF APPLICANT TWIN LAKES CANAL CO.

FORM No. 5



Permit Map No. P-986
As Approved
MAR 30 1956
MARK R. KULP
State Reclamation Engineer

NAME OF APPLICANT TWIN LAKES CANAL CO.

FORM NO.

TWP. 14 S. RANGE 38 E.

TWP 14 SOUTH RANGE 39 EAST

TWP 14 SOUTH RANGE 40 EAST

TWP 15 S. RANGE 38 E.

TWP 15 S. RANGE 39 E.

Broken Line shows TOTAL DRAINAGE AREA Est 500 Acres

=Land in application

NAME OF APPLICANT

FORM NO. C

13-2296

Twin Lakes

The plans & specifications for this file have been removed and placed in the water safety dam files of Bill Gossett, No. 13-2296

13 2296

3-18-71

State of Idaho

WATER LICENSE

Water License No. R-986/13-2296 Priority March 25, 1956 Amount 5.56 c.f.s.
(late proof)

THIS IS TO CERTIFY, that TWIN LAKES CANAL COMPANY

of Preston, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated March 8, 1956; that Permit R-986/13-2296 was issued pursuant to said application; that the proposed works were completed on or about April 13, 1962, with a storage or carrying capacity of 5.56 c.f.s., said works consisting of earth ditch, concrete diversion gate and cipolletti weir; and that on May 16, 1962, proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 1900 acre feet per season, with a maximum rate of diversion of 5.56 cubic feet per second of the waters of Mink Creek, tributary of Bear River, for the purpose of Irrigation from April 1 to October 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 point of diversion is located in SW ¼ SE ¼, Sec. 1, T. 14 S, R. 40 E, B.M., and other additional points ____, in the County of Franklin; 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 1900 acre feet per year.

Description and location of place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
14 S	39 E	20									38		37		36	38	38	23	210
		21											37						37
		28						32	30	38	37	37	35	32					241
		29	20	36	35	36			25	36	32	31	38	38	36	36	39	36	474
		32	37	38	39	37				37.8					25	37		10	260.8
		33	40	40			33.5	36			37	33	20	33					272.5

Total number of acres irrigated 1495.3

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 26th day of June, 19 70.

State Reclamation Engineer

R-986
13-2296

R-986

APPLICATION FOR PERMIT

To Construct a Reservoir and Appropriate and Store
The Public Waters of the State of Idaho

CANCELLED pursuant to sec. 42-211 Idaho Code Annotated, by order of State Reclamation Engineer dated July 31, 1959

Application No. R 34138
Permit No. R 986

Twin Lakes Canal Co.
Preston, Idaho Reinstated Oct 11, 1960

13-2296

1. Name of Applicant: TWIN LAKES CANAL CO.

Postoffice address: Preston County Franklin State Idaho

I. If applicant is a corporation, give:

(a) Date and place of incorporation: 22 March 1920 Preston/Idaho (b) Amount of Capital Stock: $ (13,000 shares)

(c) Amount paid in: $ O&M charges only (d) Names and addresses of directors: Ray C. Bright, 135 W 1 N, Preston, Idaho; Clyde Call, Clifton, Idaho; J. U. Nash, Weston, Idaho

II. The financial resources of the corporation are:

(a) Cash on hand: $ Jan. 1 1956 $22,000.00 (b) Treasury Stock: $ None after permit is issued.

(c) Bonds to be issued: $ To be voted by stockholders/ (d) Other resources: None

2. Quantity of water to be stored: 1930 acre feet per annum.

3. Source of water supply is Mink Creek (Creek) (River) (Spring), a tributary of Bear River.

4. The outlet of the proposed reservoir is located East (bearing) 2705 feet, distant from the SW corner of Section 22, Township 14 S., Range 39 E., B. M. and is in the SW ¼ of SE ¼ of Section 22, Township 14 S, Range 39 E., B.M. County of Franklin

5. Fill out either (a) or (b).

(a) The reservoir is located in the channel of Winder Lateral (Creek) (River).

(b) The reservoir is to be filled through a feeder canal, the point of diversion for which is located N. (bearing) 62° 30" 665 feet distant from the SE corner of Section 1, Township 14 S., Range 40 E., B. M., and is in the SW ¼ of SE ¼ of Section 1, Township 14 S., Range 40 E. B. M.; width at bottom feet, width at top feet, depth of water feet; average grade per mile feet; Capacity cubic feet per second.

6. (a) The area of the high water line of the reservoir is 94.2 acres.

(b) The reservoir capacity is 1930 acre feet.

7. Height of reservoir dam 55 feet, length at top 900 feet, length at bottom 300 feet, size of outlet 30 inch/Dia. feet by feet. The dam is to be constructed of materials as follows: Earth Fill (Clay) Rock Rip-Rap, Reinforced Concrete Control Well and Outlet Structure.

(If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)

8. (a) Will water stored in reservoir be diverted to canal or acqueduct, thence to land to be irrigated without commingling with natural flow of Mink (Creek) (River)? Yes

(b) Water stored in reservoir will be carried in the channel of (Creek,) (River,) a distance of miles to point of diversion located (bearing) , feet, distant from the corner of Section Township , Range , B. M., and in the ¼ of ¼ of Section Township , Range B. M.

9. (a) Area of watershed above dam site Same as presently decreed to T. L. Co. square miles

(b) Estimated maximum flow of stream 300 cu. ft. cubic feet per second.

10. Water is to be used for Irrigation purposes.

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

(a) Point of use of water (bearing) feet, distant from Corner of Section , Township , Range B. M. and is in the ¼ of ¼ of Section , Township , Range , B. M.

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

(c) Water is to be returned to (Creek) (River) (Spring) at a point (bearing) feet distant from the corner of Section , Township , Range , B. M. in the ¼ of ¼ of Section ,Township , Range , B.M.

12. Water stored in accordance with this Permit will be carried to place of use through a canal heretofore constructed under the terms of Permit No. , which is hereby referred to and made a part hereof.

13. Kind of diversion works: Canal (Dam, canal, flume, pipe, etc.)

14. Height of diversion dam: feet, length at top feet, length at bottom feet. The dam is to be constructed of materials as follows:

(If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)

15. Size of headgate: Width feet, Height feet.

16. Diversion Canal: Width at bottom 6' feet, width at water line 8' feet, depth of water 2' feet, Dimensions of Flume 2' Parshall Flume Diameter of Pipe inches; Length of Conduit miles. Average grade per mile feet.

17. Estimated cost of Works: Storage Works: $ 50,000.00 Diversion Works: $

18. Time required for completion of work 3 (three) years.

19. Time required for complete application of water to proposed beneficial use is 3 (three) years.

20. The land to be irrigated is described in the following tabulation:

(Give Irrigable acreage in each 40-acre subdivision.)

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
14 S	39 E	20									40		40		40	40	40	40	240
		29	40	40	40	40			40	40	40	40	40	40	40	40	40	40	560
		32	40	40	40	40				40					40	40		40	320
		33	40	40			40	40			40	40	40	40					320
		28						40	40	40	40	40	40	40					280
		21											40						40

Total Number of Acres to be Irrigated 1760

21. Existing rights and/or valid permits appurtenant to lands described in Sec. 20 are Waters decreed to the Twin Lakes Canal Co. Mink Creek drainage. (300 cu. ft. per sec.) Twin Lakes Canal Co. formerly Oneida Irrigation District, 1901 April 1.

Remarks: Lands to be watered and listed under item 20 are not newly irrigated acres. These acres have been watered by Twin Lakes Canal Co., as per stock, by stream flow from their present decree. This permit is requested to build storage to protect the right of this land to late summer water for late maturing crops. It is the thinking of the management and the board of directors that water can be stored at this point of the system when low temperatures will not permit storage to continue in either of the other two reservoirs of the system and that by so doing will allow transfer of stream flow, when and in the amounts available, to be diverted to other sections of the project.

BE IT KNOWN That the undersigned hereby makes application for permit to construct a reservoir and appropriate and store the public waters of Idaho as herein set forth, and that the enclosed map is hereby made a part of this application.

TWIN LAKES CANAL CO. Applicant.

By RAY C. BRIGHT (Chairman Board Directors) Agent.

Date of first receipt at Department of Reclamation: 1:00 P.M. March 8, 1956

Returned to applicant for correction

Corrected application received

APPROVAL OF STATE RECLAMATION ENGINEER

The number of this permit is R 986

Recorded in book R 4 , page 986 Approved March 26, 1956

This is to certify that I have examined the within application for a permit to construct a reservoir and appropriate and store 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 May 26, 1956 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One fifth of the work above specified to be completed on or before September 26, 1957

The whole of said work to be completed on or before March 26, 1959

Beneficial use of water stored in accordance herewith, to be made on or before March 26, 1962

Witness my hand this 26th day of March , 1956.

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho, and JAS. H. YOUNG, 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 26th day of March, 1956.

Countersigned:

STATE OF IDAHO

(SEAL)

By ROBERT E. SMYLIE
Governor.

By JAS. H. YOUNG
Secretary of State.

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

IN THE MATTER of the Reinstatement of Permit No. R-986 under the Provisions of Section 42-311 Idaho Code

ORDER REINSTATING PERMIT

WHEREAS, Permit No. R-986 lapsed through failure of the holder to make proof of completion of the works of diversion within the time specified in the Permit, to-wit: March 26, 1959; and,

WHEREAS, On the 12 day of May, 1959 notice to show cause why said permit should not be cancelled, under the provisions of Section 42-311, Idaho Code, was duly served on the holder of said permit; and,

WHEREAS, On the 8th day of July, 1960, the holder filed notice of appearance to offer proof to show that the works of diversion under said permit were fully completed within the time required; and,

WHEREAS, On the 7 day of October, 1960 depositions of the holder and two witnesses were received at the Department of Reclamation showing that the said works of diversion were completed within the time required in the permit, and,

WHEREAS, After examination of the said depositions, the State Reclamation Engineer of the State of Idaho, is fully satisfied that the works of diversion were completed as required under the termsof said Permit No. R-986, and that the holder has acted in good faith;

IT IS THEREFORE, Hereby Ordered that said Permit No. R-986 be, and the same is, hereby reinstated, and that a certificate of completion of works be issued to the applicant herein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this Department, at Boise, Idaho, this 11th day of October, 1960.

(seal)

s/ GEO. N. CARTER
State Reclamation Engineer

Application for Amendment
POINT OF DIVERSION
Permit No. R-986

Comes now Twin Lakes Canal Co. and represent to the State Reclamation Engineer of the State of Idaho: That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. R-986. That the point of diversion is described in said Permit as being located: N 62° 30" 665' distant from the SE corner of Sec. 1, T14S, R40E and is in the SW¼SE¼, Sec. 1, T14S R40 E BM

That he now requests that the point of diversion be changed to a point located: SW¼SE¼, Sec. 1, T 14S, R 40 E. BM.

That the reason for desiring to make such change is as follows: Error in original tie to section corner. That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at Preston, Idaho, this 14th day of March, 1962.

Twin Lakes Canal Co.
/s/ By C. L. Swenson, Secretary

Date of Receipt at Department of Reclamation: March 16, 1962

APPROVAL OF STATE RECLAMATION ENGINEER

I, CARL E. TAPPAN, Assistant State Reclamation Engineer of the State of Idaho, HEREBY APPROVE the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. R-986. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby;

/s/ CARL E. TAPPAN
Assistant State Reclamation Engineer

Recorded: March 16, 1962

AFTER FIVE DAYS RETURN TO
DEPARTMENT OF RECLAMATION
STATEHOUSE – ANNEX 2
BOISE, IDAHO 83707

RETURNED TO WRITER
UNKNOWN
From Twin Falls, Idaho

RECEIVED
JUN 1970
Department of Reclamation

IDAHO JUN 25 '70 P.B. 613271

Twin Lakes Canal Co.
Twin Falls, Idaho

Not for Twin Falls Canal Co.

Resent to: Twin Lakes
Canal Co.
Preston,
Idaho
June 30, 1970 83263

Rathdrum?

TWIN FALLS, ID
PM
JUN 26
1970
83301

986-R

13-3396

June 26, 1970

Re: Permit No. 13-2296 (R-986)

COPY

Twin Lakes Canal Company
Preston,
Idaho 83263

Gentlemen:

Enclosed herewith is your Water License issued on the above numbered permit.

Also enclosed is departmental receipt No. 4800 in the amount of $88 covering the licensing fees. We are also returning a receipt which we neglected to send you.

Very truly yours,

C. Stephen Allred, Deputy
State Reclamation Engineer

CSA:kh

Enclosures

R-986
13-2296

May 8, 1970

Re: Permit No. 13-2296 (R-986)

Twin Lakes Canal Company
Preston,
Idaho 83263

Gentlemen:

A representative of this department has made an examination of the works covered by your Permit 13-2296 and has found the following:

Quantity of water diverted: 5.56 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho law: 5.56 c.f.s.

The maximum quantity diverted shall not exceed 1900 acre feet per season.

Beneficial Use: Irrigation of 1495.3 acres within the SW¼SW¼, NE¼SW¼, SE¼, Sec. 20; SW¼SW¼ Sec. 21; NW¼NW¼ S½NW¼, SW¼ Sec. 28; E½, S½NW¼, SW¼ Sec. 29; NE¼, SE¼NW¼, N½SE¼, SE¼SE¼ Sec. 32; N½N½, SW¼ Sec. 33, T. 14 S., R. 39 E., B.M.

The priority date established is: March 25, 1956 (late proof)

A fee totaling $ 88.00 must be received within 30 days from the date of this letter in order that we can issue you the Water License as described above.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:kh

Pre-can
6-12-70
ds

R-986
13-2296

EMPLOYEE'S NAME

PAY PERIOD ENDING	HOURS	RATE	GROSS EARNINGS	DEDUCTIONS						NET EARNINGS PAID
				F.I.C.A	FEDERAL INC. TAX	STATE INC. TAX				
	REG. TIME									
	OVERTIME									

EMPLOYEE: THIS IS A STATEMENT OF YOUR EARNINGS AND DEDUCTIONS FOR THE PERIOD INDICATED. KEEP THIS FOR YOUR PERMANENT RECORD.

TWIN LAKES CANAL COMPANY, PRESTON, IDAHO

P A Y E E: DETACH THIS STATEMENT BEFORE DEPOSITING CHECK

TWIN LAKES CANAL COMPANY

DATE	INVOICE NO.	DESCRIPTION	AMOUNT	DISCOUNT OR DEDUCTION	NET AMOUNT
6-22-70		Licensing fees for permit # R-986/13-2296	88.00		R-986 13-2296

Twin Lakes Canal Co.

PRESTON, IDAHO 83263

June 22 70

RECEIVED
JUN 22 1970
Department of Reclamation

State of Idaho
Dept. of Reclamation

Gentlemen:

Enclosed herewith is the fee for licensing permit No. [redacted]-986 13-2296.

We can show no cause except that question in our recent communication with your office, as to the cancelling of the permit. It is our hope that the permit will not be cancelled and that the matter can now be finalized.

Yours Truly,

TWIN LAKES CANAL COMPANY

Lester P. Sears
Secretary

R-986
13-2296

Form 23
2M-4-65

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

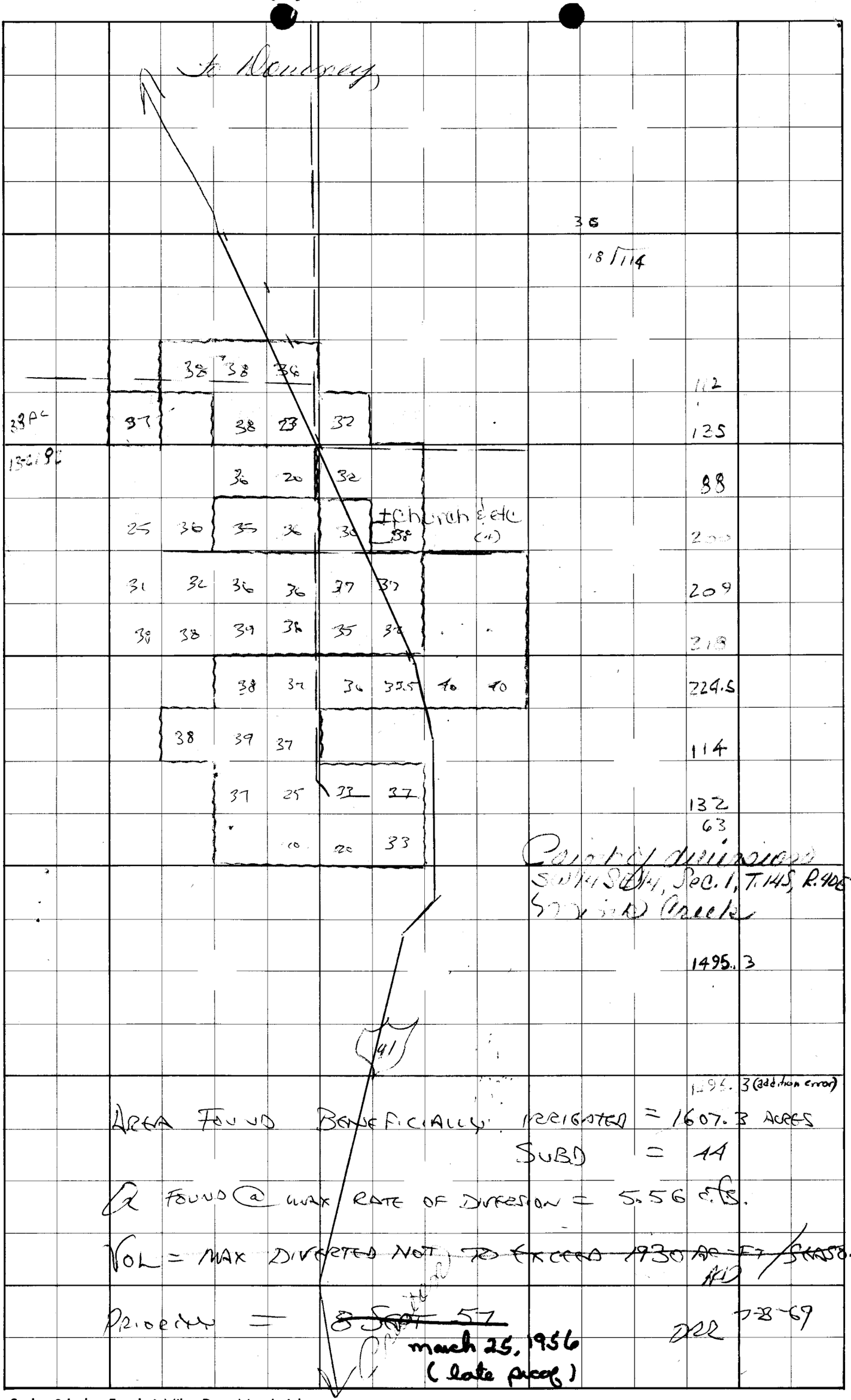
BOISE

REPORT OF EXAMINER

PERMIT NO. R-986

REPORT ON PROOF OF Beneficial Use

R-986
13-2296



1495.3 (addition error)

AREA FOUND BENEFICIALLY IRRIGATED = 1607.3 ACRES

SUBD = 14

Q FOUND @ MAX RATE OF DIVERSION = 5.56 c.f.s.

VOL = MAX DIVERTED NOT TO EXCEED ~~1930 AC-FT/SEASON~~ 1610

PRIORITY = ~~8 SEPT 57~~ March 25, 1956 (late proof) 7-8-69

Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

Form 23
2M-4-65

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF EXAMINER

Permit No. R-986

This proof is for Beneficial Use In Water District No.

1. Name of applicant Twin Lakes Canal Company
2. Source of water supply: Mink Creek
3. Location of point of diversion: Is in the $SW\frac{1}{4}SE\frac{1}{4}$ of Section 1
   T. 14 S R. 40 E County of Franklin
4. Describe works as they exist, giving dimensions and capacities of same:
   Earth Ditch Through Concrete diversion ~~[illegible]~~ with control gate, from Mink Creek over Cipolletti weir. 4' Crest Length.
5. Water is used for: irrigation
6. State whether or not water has been turned into works of diversion: Yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):
   Sec. 20, $NE\frac{1}{4}SW\frac{1}{4}$, $SW\frac{1}{4}SW\frac{1}{4}$, $SE\frac{1}{4}$; Sec. 21, $SW\frac{1}{4}SW\frac{1}{4}$; Sec. 28, $W\frac{1}{2}NW\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$, $SW\frac{1}{4}$; Sec. 29, $E\frac{1}{2}$, $S\frac{1}{2}NW\frac{1}{4}$, $SW\frac{1}{4}$; Sec. 32, $NE\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}$, $SE\frac{1}{4}SE\frac{1}{4}$; Sec. 33, $N\frac{1}{2}NE\frac{1}{4}$, $N\frac{1}{2}NW\frac{1}{4}$, $SW\frac{1}{4}$, all in T. 14 S, R. 39 E, B.M.

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

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

Remarks:
4' Cipolletti weir 6 3/4" head. = 5.56 c.f.s.
Irrigation Requirement = 3.5 Ac-Ft/Acre/Season
2 over 4' weir @ 6 3/4" head carries to be (5.56 CFS) 1960 A.F./Season
(11.12 Ac-Ft/Day) (176/210 day Season) = ~~1340~~ AC-FT/Season
4/27/70

This examination was made on the 25 day of June, 1969

(Signed) Leon Reynolds P.m.
Examiner.

R-986

13-5996

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.

Twin Lakes Canal Company
Preston, Idaho

Permit No. R-986 / 13-2296

Examination for Beneficial Use

County Franklin

Sec. 1 T. 14S R. 40E

Quantity: 1930 a. f.

Source: Mink Creek

P.D.: $SW\frac{1}{4}SE\frac{1}{4}$, Sec. 1, T. 14 S, R. 40 E, B.M.

Use: irrigation

Extension:

Protest:

Completion of Works:

Other Rights: Waters decreed to the Twin Lakes Canal Co., Mink Creek drainage.

Filed: March 8, 1956

Due: March 26, 1962

Made: April 13, 1962

Priority: March 25, 1956

Form 23
2M-4-65

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

REPORT OF EXAMINER

PERMIT NO. R-986

REPORT ON PROOF OF Completion of Works

R-986
13-3096

KS

			38	38	36							112	
		37		38	23	37						135	
				36	20	32						88	
		25	36	35	36	30	38					200	
		31	32	36	36	37	37					209	
		38	38	39	36	35	32					218	
				38	37	36	33.5	40	40			224.5	
			378	39	37							113.8	
				39	25	33	37					132	
					10	20	33					63	

1607.3 Acres

1495.3 (addition error)

AREA — ~~1495.3~~ 1607.3 Acres

SUBD — 44

Q — 5.56 cfs MAX RATE OF DIVERSION FOUND

VOL — ~~1700~~ 1930 Ac-ft / season (3.5 Ac-ft)(~~180~~ 170 days)

PRIORITY — ~~8 Sept. 57~~ 4/27/70 JRR 7-23-69

Scale: 2 Inches Equals 1 Mile. Draw Map In Ink. march 26, 1986 (last proof)

Form 23
2M-4-65

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF EXAMINER

Permit No. R-986

This proof is for Completion of Works In Water District No.

1. Name of applicant Twin Lakes Canal Company
2. Source of water supply: Mink Creek
3. Location of point of diversion: Is in the SW¼SE¼ of Section 1
   T. 14 S R. 40 E County of Franklin
4. Describe works as they exist, giving dimensions and capacities of same:
   CONCRETE DIVERSION STRUCTURE ON MINK CREEK WITH CONTROL GATE – THROUGH EARTH DITCHES – GRAVITY IRRIGATION. INSTALLED 4'-0" CIPOLETTI WEIR.
5. Water is used for: irrigation
6. State whether or not water has been turned into works of diversion: YES
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):
   portions of lands in Secs. 20, 21, 28, 29, 32, 33, all in T. 14 S, R. 39 E. B.M.

$5.00 fee already received
check folder for receipt when
pending C/W certificate

Prior to taking action on c/w, consult reinstatement order on permit page.

DAR

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

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

Remarks:

REQUIREMENTS 3.5 AC-FT/AC

OVER 4'-0" CIPOLETTI WEIR @ 6 3/4" = 5.56 C.F.S.
VOL DIVERTED BASED UPON 170 DAY SEASON = (1.12 ACFT/DAY)(170 DAYS) = 190 AC FT/AC
AC 4/27/70

This examination was made on the 25th day of June, 1969 P.M.

(Signed) Leon Reynolds
Examiner.

R-986 Plat
13-2096

4' Cipolletti weir
6 3/4"

1

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.

2340 AC-FT/SEASON = 11.12 AC-FT/DAY = 5.56 c.f.s.

Twin Lakes Canal Company
Preston, Idaho

Permit No. R-986

Examination for Completion of Works

County Franklin

Sec. 1 T. 14S R. 40E

Quantity: 1930 a.f.

13-

Source: Mink Creek

P.D.: SW¼SE¼, Sec. 1, T. 14 S, R. 40 E, B.M.

Use: irrigation

Extension:

Protest:

Completion of Works:

Other Rights: Waters decreed to the Twin Lakes Canal Co. Mink Creek Drainage.

Filed: March 8, 1956

Due: March 26, 1959

Made: September 26, 1960

Priority: September 8, 1957

Twin Lakes Canal Co.

PRESTON, IDAHO 83263

June 8 1970

RECEIVED
JUN 9 1970
Department of Reclamation

State of Idaho,
Dept. of Reclamation.

Re: Permit No. 13-2296 (R986)
Correspondence May 8 1970

Mr. Donald W. McEldowney
Appropriation Supervisor.

Dear Sir:

We received your correspondence, dated as above, after the regular Directors meeting for May, there-for review by the Directors of your request was delayed until the regular June meeting.

We don't understand the assessment of a fee, for water license, in an area that has been served since the Company was organized and using the same decreed water as always. (Mink Creek 1902)

Completion of proof was submitted as required by law and this is the first fee for water license that we have been requested to pay.

We would appreciate hearing more from you regarding this matter.

Very truly yours,

TWIN LAKES CANAL COMPANY

Lester P. Lund
Sec.

R-986

13-2296

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and address where delivered ☐ Deliver ONLY to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

CERTIFIED NO.

30195

INSURED NO.

SIGNATURE OR NAME OF ADDRESSEE (*Must always be filled in*)

1 Fred C. Lee

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

2

DATE DELIVERED

JUN 18 19 7

SHOW WHERE DELIVERED (*only if requested*)

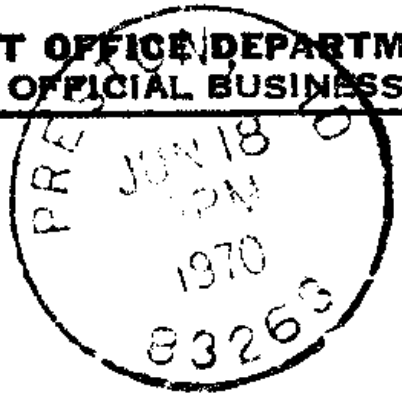
3

13-2296

c55—16—71548-10 GPO

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, $300



POSTMARK OF DELIVERING OFFICE

INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article *RETURN RECEIPT REQUESTED.*

RETURN TO

NAME OF SENDER

Department of Reclamation
Annex #2 Statehouse
Boise, Idaho 83707

STREET AND NO. OR P.O. BOX

POST OFFICE, STATE, AND ZIP CODE

POD Form 3811 Apr. 1967 c55—16—71548-10

June 12, 1970

CERTIFIED MAIL

#30195

Re: Permit No. R-986/13-2296

Twin Lakes Canal Company
Preston,
Idaho 83263

Gentlemen:

It appearing to the State Reclamation Engineer that the terms and conditions of Permit 13-2296 to appropriate the public waters of the State of Idaho, have not been complied with as to failure to submit licensing fees of $88.00, you are hereby notified that under the provisions of Section 42-311, Idaho Code, as amended, said permit is hereby held for cancellation, and you are requested to show cause before the State Reclamation Engineer on or before July 22, 1970, why said permit should not be cancelled. Permit 13-2296 claims the use of 1930 acre feet per annum. The point of diversion was to be located in the SW¼SE¼ of Sec. 1, T. 14S, R. 40E, B.M. and the permit was approved March 26, 1956.

R. KEITH HIGGINSON
State Reclamation Engineer

RKH:DR

R-986
13-2296

June 12, 1970

Re: Permit No. R-986/13-2296

CERTIFIED MAIL

Twin Lakes Canal Company
Preston,
Idaho 83263

Gentlemen:

It appearing to the State Reclamation Engineer that the terms and conditions of Permit 13-2296 to appropriate the public waters of the State of Idaho, have not been complied with as to failure to submit licensing fees of $88.00 you are hereby notified that under the provisions of Section 42-311, Idaho Code, as amended, said permit is hereby held for cancellation, and you are required to show cause before the State Reclamation Engineer on or before July 22, 1970 why said permit should not be cancelled. Permit 13-2296 claims the use of 5.56 cubic feet per second of water. The point of diversion was to be located in SW¼SE¼ of Sec. 1, T. 14S, R. 40E, B.M. and the permit was approved March 26, 1956.

R. Keith Higginson

State Reclamation Engineer

R. KEITH HIGGINSON

RKH:DR

R-986
13-2296

9-19-60

This permit cannot be cancelled for failure to complete works. I declare it completed and well built I have seen it. Do whatever necessary to rescind the cancellation

E-986

SHG

October 12, 1960

Re: Permit No. R-986

C. L. Swenson, Secretary
Twin Lakes Canal Company
Preston, Idaho

Dear Mr. Swenson:

Your permit has been reinstated and upon receipt of $5.00 the fee for issuing Certificate of Completion of Works, said certificate will be recorded in this office and mailed to you.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS
Office Engineer

RT:ew

R-986

CK Enc $ 5.00

Twin Lakes Canal Company

Preston, Idaho

RECEIVED
OCT 1 71960
Department of Reclamation

Oct. 14, 1960

Re: Permit No. R 986
Twin Lakes Canal Co.,
Preston, Idaho.

Ralph W. Thomas,
Office Engineer,
Department of Reclamation of
the State of Idaho,
Statehouse, Boise, Idaho.

Dear Mr. Thomas:

Inclosed is our check for $5.00 for issuing Certificat of Completion of Works in connection with the above designated Permit. We will appreciate receiving the certificate after it is recorded in your office.

Very truly yours,

C. L. Swenson
Secretary

cc - Directors & Manager

R-986

Form 15-R

Permit No. R- 986

Proof of Completion of Works

DEPOSITION OF HOLDER

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

Ans. Lester P. Sears, Clifton, Idaho. Manager, Clifton, Idaho

Ques. 2. If acting on behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans. Twin Lakes Canal Co., Preston, Franklin County, Idaho.
Manager. Authority: - Manager.

Ques. 3. State number and date of permit, acre feet of water you claim for storage, and source of same.

Ans. R. 986 Date: ~~June 1,~~ Mch. 26, 1956 1930 acre feet of water.
Source: - Mink Creek Drainage.

Ques. 4. Under terms of permit construction was required to be completed by March 26, 1959.

Ques. 5. Construction was actually completed on the date of August 21, 1958 19

Ques. 6. Does the construction fully comply with the specifications? Yes.

Ques. 7. Of what material was the dam built? Clay - compacted.

Ques. 8. State whether or not the water has been turned into your reservoir, and if so, when and to what extent.

Ans. Water turned in in November 20, 1958 to the extent of 575 acre feet.
and again on the 27th of November, 1959, to the extent of 1175 acre feet.

Ques. 9. The capacity of the reservoir is 1930 acre feet.

Ques. 10. The area of the high water line of the reservoir is 94.2 acres.

Ques. 11. The height of the dam above bottom of reservoir is 55 feet, above low water is 55 feet.

Ques. 12. The dimensions of the spillway are As specified. and the bottom of the spillway is feet below the top of the dam.

Ques. 13. Dimensions of the reservoir outlet are 30 inch steel pipe in reinforced concrete.

Ques. 14. Describe the gate and control unit.

Ans. The gate is an Armco model 50 - C

Ques. 15. The reservoir outlet is made of 30 inch steel pipe in reinforced concrete.

Ques. 16. Is the reservoir filled through a feeder canal? Yes.

Ques. 17. If so, where is the point of diversion for same? North 62° 30" 665 feet distant from the SE corner of Sec. 1, Tp. 14 S. R. 40 E. B. M.,
Ans. SW ¼ SE ¼ Section, 1 Twp. 14 So. Range 40 E.B.M.

R-986 RT

Ques. 18. Does the feeder canal comply with the specifications in the permit? Yes.

Ques. 19. If not, explain

Ques. 20. Cost of constructing feeder canal? $ 3,500.00 Cost of reservoir? $ 104,000.00

Ques. 21. State whether or not the works from reservoir outlet to place of use are fully completed, and whether or not they comply with the specifications in permit. If not, explain.

Ans. Yes.

Ques. 22. Water has (has not) been delivered to place of intended use? Yes.

Ques. 23. Give description of dam, state dimensions, and give slope of face both upstream and downstream. Also method and material for protecting against wave action.

Ans. Height of dam 55 ft., Length of top of dam 900 ft., Length at Bottom 300 Feet, Size of outlet 30 inch pipe; dam is constructed of earth-fill clay, rock rip rap, reinforced concrete control well and outlet structure. Face slope 3 to 1, and back slope 2 to 1.

Ques. 24. State the purpose for which the water is to be used and give the place of use, and if for irrigation, state the number of acres, and give the legal description of same.

Ans. Water to be used in Winder area, Franklin County, Idaho, for irrigation. 1760 acres, in Setions 29, 29, 32, 33, 28, and 21, in Towship 14 South, Range 39 East of the Boise Meridian, as further set forth in the application for permit

20?

(Sign here) [signature]

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 Preston, County of Franklin, State of Idaho, on this 26th day of September, A.D. 19 60.

[signature]
Notary Public

My commission expires 2-6-61

FORM 14-R

The Depositions of two Witnesses, in this form, taken separately, required in each case.

Permit No. R- 986

PROOF OF COMPLETION OF WORKS

DEPOSITION OF WITNESS

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

Ans. J. Uless Nash, - Farmer, Preston, Idaho

Ques.2. Are you acquanited with Twin Lakes Canal Co., the holder of Permit No. R 986, authorizing the storage of 1930 acre feet of the waters of Mink Creek Drainage which is tributary to _____, in the County of Franklin, State of Idaho? How long have you known him, and where does he reside?

Ans. Preston, Idaho

Ques. 3. Have you read or heard read said Permit? Yes. Are you familiar with its terms and conditions? Yes.

Ques. 4. Of what material and how has the dam been constructed?

Ans. Compacted clay - Constructed by Twin Lakes Canal Company according to plans and specifications.

Ques. 5. Is the reservior fully constructed? yes. Has water been turned into it? Yes. And to what extent? Approximately 2/3 filled.

Ques. 6. Where is the point of diversion of the feeder canal?

Ans. SW ¼ SE ¼ Section 1, Township 14 So. Range 40 E.B.M.

Ques. 7. The outlet of the reservoir is located in the SW ¼ SE ¼ Section 1 Twp. 14 So. Range 40 EBM

Ques. 8. Describe the spillway.

Ans.

Ques. 9. How much below the top of the dam is the bottom of the spillway? 6 Ft.

Ques.10. State the dimensions of the outlet for the reservoir 30 inches.

Ques.11. Of what material is the outlet made? Metal pipe with reinforced concrete

Ques.12. How is the outlet gate operated? Manually.

R 986

Ques. 13. Of what material has the dam been constructed? Compacted clay.

Ques. 14. Are the works from the reservoir to place of use fully completed? Yes.

Ques.15. Describe these works as they now exist, and give your estimate of their capacity.

Ans. Twin Lakes Canal - Sufficient capacity to handle water available.

Ques. 16. For what purpose is the water to be used?

Ans. Irrigation.

Ques. 17. If for irrigation purposes, are you acquainted with the land to be irrigated? Yes. How much water is required for its profitable cultivation?

Ans. Approx. 2 acre ft. per acre.

Ques. 18. Give the legal description of the land to be irrigated, or the place of use.

Ans. Winder, Franklin County, Idaho

(Sign here) J. Elmer Nash

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, at my office in Preston, County of Franklin, State of Idaho, on this 26 day of Sept. 19 60.

Notary Public

My commission expires 2-6-61

FORM 14-R

The Depositions of two Witnesses, in this form, taken separately, required in each case.

Permit No. R- 986

PROOF OF COMPLETION OF WORKS

DEPOSITION OF WITNESS

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

Ans. V. D. Smart, - Farmer, Dayton, Idaho

Ques.2. Are you acquanited with Twin Lakes Canal Co., the holder of Permit No. R 986, authorizing the storage of 1930 acre feet of the waters of Mink Creek Drainage which is tributary to _____, in the County of Franklin, State of Idaho? How long have you known him, and where does he reside?

Ans. Preston, Idaho

Ques. 3. Have you read or heard read said Permit? Yes. Are you familiar with its terms and conditions? Yes.

Ques. 4. Of what material and how has the dam been constructed?

Ans. Compacted clay - Constructed under plans and specifications by Twin Lakes Canal Co.

Ques. 5. Is the reservior fully constructed? Yes. Has water been turned into it? Yes. And to what extent? Approximately 2/3 filled.

Ques. 6. Where is the point of diversion of the feeder canal?

Ans. SW ¼ SE ¼ Section 1, Township 14 So. Range 40 E.B.M.

Ques. 7. The outlet of the reservoir is located in the SW¼ ¼ SE ¼ Section 1 Twp. 14 S. Range 40 E.B.M.,

Ques. 8. Describe the spillway.

Ans.

Ques. 9. How much below the top of the dam is the bottom of the spillway? 6 Ft.

Ques.10. State the dimensions of the outlet for the reservoir 30 inch pipe

Ques.11. Of what material is the outlet made? 30 inch Corrugated iron, with reinforced concrete cashing.

Ques.12. How is the outlet gate operated? Manually.

R-986

Ques. 13. Of what material has the dam been constructed?

Compacted clay

Ques. 14. Are the works from the reservoir to place of use fully completed? Yes.

Ques. 15. Describe these works as they now exist, and give your estimate of their capacity.

Ans. Completed canal prior to construction of dam - canal adequate to handle distribution of irrigation water.

Ques. 16. For what purpose is the water to be used?

Ans. Irrigation

Ques. 17. If for irrigation purposes, are you acquainted with the land to be irrigated? Yes. How much water is required for its profitable cultivation?

Ans. 2. acre feet.

2, Ques. 18. Give the legal description of the land to be irrigated, or the place of use.

Ans. Winder area, Franklin County, Idaho.

(Sign here) [signature]

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, at my office in Preston, County of Franklin, State of Idaho, on this 26th day of September 19 60.

[signature]
Notary Public

My commission expires 2-6-61

No. 267

RECEIVED
OCT 7 1960
Department of Reclamation

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Franklin } ss.

Vlan E. Smith, being duly sworn,

deposes and says:

That he is the Publisher of

THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho: that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston: that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for four consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement: that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with August 18, 1960, and ending with the issue of September 8, 1960

Vlan E. Smith

Fees, $ 21.07

Subscribed and sworn to before me this 4 day of Oct, 1960.

Dane C. Greaves

Notary Public, Residing at Preston, Idaho

My Commission Expires 4-25-62, 19....

NOTICE FOR PUBLICATION OF COMPLETION OF WORKS

Notice is hereby given that at 10:00 a. m. on the 26th day of September, 1960, at Preston, County of Franklin, State of Idaho, before C. L. Swenson, a Notary Public, proof will be submitted of the completion of works for the storage of 1930 acre feet of water, of the waters of Mink Creek, in accordance with the terms and conditions of a certain permit heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name of the person or corporation holding said permit is Twin Lakes Canal Company.

2. The postoffice address of such person or principal place of business of such corporation is Preston, County of Franklin, State of Idaho.

3. The number of such permit is R 986, and the date set for the completion of such work was March 26, 1959.

4. Said water is to be used for irrigation purposes.

5. Said works of diversion were fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit is 1930 feet.

6. The amount of lands for which said water is available is 1760 acres, particularly described as follows: in sections 20, 21, 28, 29, 32, 33, all in T. 14 S., R. 39 E.B.M. under the company canal.

GEO. N. CARTER
State Reclamation Engineer

First Pub. Aug. 18, 1960
Last Pub. Sept. 8, 1960

R-986

c/Encl. $2.00

RECEIVED
OCT 7 1960
Department of Reclamation

Twin Lakes Canal Company

Preston, Idaho

Oct. 5, 1960

Re: Permit No. R 986
Twin Lakes Canal Co.,
Preston, Idaho

Mr. Geo. N. Carter,
Idaho State Reclamation Engineer,
Statehouse, Boise, Idaho.

Dear Mr. Carter:

Inclosed are: Affidavit of Publication,
Deposition of Holder,
Deposition of Witness - J. Uless Nash
Deposition of Witness - V. D. Smart

in connection with the above designated permit.

Also our check for $2.00 in payment of the copies of the "Application for Per mit" which you furnished us some time ago.

Very truly yours,

C. L. Swenson
Secretary

R-986

Mr. Tappan has the Engineer's Report in his desk and will make the inspection on both Complteion of Works & Beneficial Use.

EPR
5/16/62

R-986

May 16, 1962

Re: Permit No. R-986

C. L. Swenson, Secretary
Twin Lakes Canal Company
Preston, Idaho

Dear Mr. Swenson:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the Preston Citizen _____, all submitted in proof of c[illegible] beneficial use on Permit No. R-986.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:

R-986

May 11, 1962

RE: Permit No. R-986

C. L. Swenson, Secretary
Twin Lakes Canal Company
Preston, Idaho

Dear Mr. Swenson:

Returned herewith proof of beneficial use of water under Permit No. R-986.

Witness Ray C. Bright, as a minority stock holder in the Twin Lakes Canal Company, is not acceptable as a disinterested witness.

Please arrange to have another witness that can be considered a disinterested witness make a deposition, include it with the rest of the documents and return to this office without furthor delay.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

H. Petri
Water Rights Clerk

HP:mr

Enc. proofs

R-986

Form 16.

RECEIVED
MAY 11 1962
Department of Reclamation

RECEIVED
MAY 16 1962
Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. R - 986

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. J. Uless Nash, Preston, Idaho - Farmer - PO Address: Preston, Idaho

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

Ans. Twin Lakes Canal Company, President, Preston, Idaho

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

Ans. Permit No. R - 986 3-26-56 Mar. 26, 1956 3-8-56 Mar. 8, 1956

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

Ans. Source of supply is Mink Creek. Point of diversion is in the SW¼SE¼ of Section 1, Township 14 South, Range 40 East of the Boise Meridian.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. Diversion Works - Winder Lateral. Amount of water capable of conveying from point of diversion to place of use is 12 cfs.

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

Ans. Water is used for irrigation. Land is cultivated, and has been brought from desert land to production of irrigated crops through the application of water. Water is used upon the following described lands.

Twp.	Range	Sec.	NE¼ NE¼	NE¼ NW¼	SW¼	SE¼	NW¼ NE¼	NW¼ NW¼	NW¼ SW¼	NW¼ SE¼	SW¼ NE¼	SW¼ NW¼	SW¼ SW¼	SW¼ SE¼	SE¼ NE¼	SE¼ NW¼	SE¼ SW¼	SE¼ SE¼	Totals
14 S	39 E	20									40		40		40	40	40	40	240
		29	40	40	40	40			40		40	40	40	40	40	40	40	40	560
		32	40	40	40	40					40				40	40	40	40	320
		33	40	40			40	40											320
		28						40	40	40	40	40	40	40					280
		21											40						40

R-986

R-986

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

Ans. .....

.....

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

Ans. One acre foot of water per acre of land.

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

Ans. .....

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

Ans. Water has been used since the construction of the dam to the full extent of the facilities in the irrigation of land.

.....

.....

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. Dams, diversion works, canals, and facilities, of prior dams and reservoirs known as the Twin Lakes Reservoir, and the Condie Reservoir, of the Twin Lakes Canal Company, have been constructed and used in the irrigation of crops, on the lands described, and the water requested in this proof is to be used as supplemental water to bring water available up more nearly to the requirements of the land for proper irrigation.

(Sign) Jessie Nash

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 Preston, County of Franklin, State of Idaho, on this 13th day of April, A. D. 19 62.

.....

My commission expires 2-6-65

Form 17

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JUL 11 1932
Department of Reclamation
RECEIVED
JUL 18 1932
Department of Reclamation

PERMIT NO. R - 986

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. Orval D. Robinson, Age 55, Preston, Idaho. Probate Judge, , Preston, Idaho

Ques. 2. Are you acquainted with Twin Lakes Canal Company, the holder of Permit No. R - 986? How long have you known him and where does he reside?

Ans. Have known the Company for over 30 years.

Ques. 3. Have you read or heard read said Permit No. R -986, and are you familiar with its provisions and conditions?

Ans. Yes.

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Source of supply - Mink Creek Place of diversion - In the SW¼ of SE¼ of Section 1, Tp. 14 S. Range 40 E.B.M.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 1930 acre feet to be store and used upon lands described.

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

Ans. Water is to be used for irrigation. Land is cultivated. Through use of water it has been redeemed from desert land to the production of crops of various kinds.

Land upon which the water has been used are described as follows:

Twp.	Range	Sec.	NE¼ NE¼	NE¼ NW¼	NE¼ SW¼	NE¼ SE¼	NW¼ NE¼	NW¼ NW¼	NW¼ SW¼	NW¼ SE¼	SW¼ NE¼	SW¼ NW¼	SW¼ SW¼	SW¼ SE¼	SE¼ NE¼	SE¼ NW¼	SE¼ SW¼	SE¼ SE¼	Totals
14 S	39 E	20									40		40		40	40	40	40	240
		29	40	40	40	40				40	40	40	40	40	40	40	40	40	560
		32	40	40	40	40					40				40	40		40	320
		33	40	40			40	40			40	40	40	40					320
		28						40	40	40	40	40	40	40					280
		21											40						40

R-986

R-986

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

Ans. _____

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

Ans. Land reclaimed is primarily a sandy loam, but has areas of clay, and of other textures. Amount of water ordinarily required for profitable cultivation is one acre foot per acre.

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

Ans. None.

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

Ans. Water has been used since dam was completed upon the lands described herein in the production of irrigated crops to the full extent of available water. Water was also used prior to that time to the extent it could be used without the dam.

Orval D Robinson _____ (Signed) [redacted]

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 Preston, County of Franklin, State of Idaho, on this 13th day of April, A. D. 1962.

_____ Notary Public.

My commission expires 2-6-65.

Form 17

RECEIVED
MAY 11 1962
Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
MAY 16 1962
Department of Reclamation

PERMIT NO. R 986

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. Ezra S. Foss - Age 58, Preston, Idaho. Merchant - Preston, Idaho

Ques. 2. Are you acquainted with Twin Lakes Canal Company, the holder of Permit No. R 986? How long have you known him and where does he reside?

Ans. Have known Company for over twenty years.

Ques. 3. Have you read or heard read said Permit No. R 986, and are you familiar with its provisions and conditions?

Ans. Yes.

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Source of supply: Mink Creek; Place of diversion is in the SW¼SE¼ of Section 1, Tp. 14 S. R. 40 EBM.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 1930 acre feet to be stored and used upon lands described.

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

Ans. Water is to be used for irrigation. Land is cultivated. Through use of water it has been redeemed from desert land to the production of crops of various kinds. Lands upon which the water has been used are described as follows.

Twp.	Range	Sec.	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE 1/4	
14 S	39 E	20																	
		29	40	40	40	40					40		40		40	40	40	40	240
		32	40	40	40	40			40	40	40	40	40	40	40	40	40	40	360
		33	40	40						40					40	40		40	320
		28					40	40			40	40	40	40					320
		21						40	40	40	40	40	40	40					280
													40						40

R-986

R-986

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

Ans. _____

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

Ans. Land reclaimed is sandy loam, some clayish, and other types found in the area. The amount of water required for its profitable cultivation is one acre foot of water per acre of land.

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

Ans. No.

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

Ans. Have observed the dam, water in it, the diversion works, and the canals and works to the area where the water is used, and the water upon the land.

Egra Dorr.

(Signed)

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 Preston, County of Franklin, State of Idaho, on this 13th day of April, A. D. 1962.

Notary Public.

My commission expires 2-6-65.

No 383

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Franklin } ss.

Klon E. Smith
being duly sworn,

deposes and says:

That he is the Publisher of

THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for

four consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

March 22, 19 62, and ending with the issue of April 12, 19 62

Klon E. Smith

Fees, $ 3.6.12

Subscribed and sworn to before me this ..... day of ....., 19.....

.....
Notary Public, Residing at Preston, Idaho

My Commission Expires ....., 19.....

R-986

RECEIVED
MAR 23 1962
STATE RECLAMATION ENGINEER

LEGAL PUBLICATIONS

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

Notice is hereby given that at 10 A.M. on the 13th day of April 1962, at Preston, County of Franklin, State of Idaho, before the Department of Reclamation of the State of Idaho.

The name and post office address of the person or corporation holding said permit is Twin Lakes Canal Co., Preston, Idaho.

The use to which said water has been applied is Irrigation.

The amount applied to beneficial use is 1930 Acre Feet.

The point of diversion of said water is in the S.W.¼ of S.E.¼ of section 1 Township 14S Range 40 EBM.

The place where said water is used is:

Twp.	Range	Sec.	NE¼ NW¼	SW¼ SE¼	NE¼ NW¼ SW¼	SE¼	SW¼ NE¼ NW¼ SW¼	SE¼	SE¼ NE¼ NW¼ SW¼ SE¼	Totals
14 S	39 E	20	40 40 40 40	40 40		40		40	40 40 40 40	240
		29	40 40 40 40	40 40		40		40	40 40 40 40	560
		32	40 40 40 40	40 40		40		40	40 40 40 40	320
		33	40 40 40 40		40 40 40 40		40 40 40 40			320
		28								289
		21								40

The date of priority which said user is prepared to establish is March 21, 1956.

C. L. Swenson, a Notary Public, Preston, Idaho, proof will be submitted of the application to beneficial use of 1930 acre feet per second of the waters of Mink Creek in accordance with the terms and conditions of Permit No. R. 986 heretofore issued by

GEO. N. CARTER
State Reclamation Engineer

First Pub. March 22, 1962
Last Pub. April 12, 1962

TWIN LAKES CANAL COMPANY

PRESTON, IDAHO

May 10, 1962

RECEIVED
MAY 16 1962
Department of Reclamation

Re: Permit No. R 986
Twin Lakes Canal Co.
Preston, Idaho

Hon. Geo. N. Carter,
Idaho State Reclamation Engineer,
Statehouse, Boise, Idaho.

Dear Sir:

Inclosed are:

Proof of Application of Water to Beneficial Use, Depositions of Witnesses, and Affidavit of Publication, on behalf of the Twin Lakes Canal Company.

Very truly yours,

C. L. Swenson
Secretary-Treasurer

R-986

March 19, 1962

RE: Permit No. R-986
Twin Lakes Canal Company

The Preston Citizen
Preston, Idaho

Gentlemen:

Will you please make the following correction in the legal on the above numbered permit?

The head of column 2 of the land list should read NW¼, rather than NE¼.

Please make this correction and send us another tear sheet for proofing.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

H. Petri
Water Rights Clerk

HP;mr

R-986

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

Notice is hereby given that at 10 A.M. on the 13th day of Apr 1962, at Preston, County of Franklin, State of Idaho, before C. L. Swenson, a Notary Public, Preston, Idaho, proof will be submitted of the application to beneficial use of 1930 acre feet per second of the waters of Min's Creek in accordance with the terms and conditions of Permit No. R 986 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 Twin Lakes Canal Co., Preston, Idaho.

The use to which said water has been applied is Irrigation

The amount applied to beneficial use is 1930 Acre Feet.

The point of diversion of said water is in the S.W.¼ of S.E.¼ of section 1 Township 14S Range 40 EBM.

The place where said water is used is:

Twp.	Range	Sec.	NE¼		NE¼				SW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼			
14 S	39 E	20									40		40		40	40	40	40			240
		29	40	40	40	40			40		40	40	40	40	40	40	40	40			560
		32	40	40	40	40					40				40	40		40			320
		33	40	40			40	40				40	40	40							320
		28						40	40		40	40	40	40							280
		21												40							40

The date of priority which said user is prepared to establish is March 8, 1956.

GEO. N. CARTER
State Reclamation Engineer

First Pub. March 22, 1962
Last Pub. April 12, 1962

R-986

1200
6-28-61

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. R-986
Twin Lakes Canal Co.

Date: March 14, 1962

The Preston Citizen,
Preston, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to April 13, 1962 the date set for proof; the expense of the publication is to be paid by the applicant

Twin Lakes Canal Company of Preston, Idaho

to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the first publication.**

Very truly yours,

Geo N. Carter

GEO. N. CARTER
State Reclamation Engineer

** If the first copy is not received in this office for checking purposes and errors appear in subsequent issues, it is possible that re-publication of corrected copy will be at your own expense.

Encl.

R-986

LEGAL PUBLICATIONS

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

Notice is hereby given that at 10 A.M. on the 13th day of April 1962, at Preston, County of Franklin, State of Idaho, before C. L. Swenson, a Notary Public, Preston, Idaho, proof will be submitted of the application to beneficial use of 1930 acre feet per second of the waters of Mink Creek in accordance with the terms and conditions of Permit No. R 986 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 Twin Lakes Canal Co., Preston, Idaho.

The use to which said water has been applied is Irrigation.

The amount applied to beneficial use is 1930 Acre Feet.

The point of diversion of said water is in the S.W.¼ of S.E.¼ of section I Township 14S Range 40 EBM.

The place where said water is used is:

Twp.	Range	Sec.	NE¼		NW¼			SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
14 S	39 E	20									40		40		40	40	40	40	240
		29	40	40	40	40			40		40	40	40	40	40	40	40	40	560
		32	40	40	40	40					40				40	40		40	320
		33	40	40			40	40				40	40	40					320
		28						40	40		40	40	40	40					280
		21												40					40

The date of priority which said user is prepared to establish is March 8, 1956.

GEO. N. CARTER
State Reclamation Engineer

First Pub. March 22, 1962
Last Pub. April 12, 1962

R-986

Form 10

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER

TO BENEFICIAL USE

Notice is hereby given that at 10 A.M. on the ~~6th~~ 13th day of ~~April~~, 19 ~~62~~, at ~~Preston,~~, County of ~~Franklin~~, State of Idaho, before ~~C. L. Swenson, a Notary Public, Preston, Idaho~~, proof will be submitted of the application to beneficial use of 1930 Acre~~xxxx~~ feet per second of the waters of Mink Creek in accordance with the terms and conditions of Permit No. R 986 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 Twin Lakes Canal Co. Preston, Idaho

The use to which said water has been applied is Irrigation

The amount applied to beneficial use is 1930 Acre ft.

The point of diversion of said water is ~~N. 62 30" 665' distant from SE corner of section 1 Township 14S Range 40 E B.M. and is~~ in the SW¼ of SE¼ of section 1 Township 14S Range 40 E BM

The place where said water is used (LEGAL DESCRIPTION)

Twp	Range	Sec.	NE¼ NE¼	NE¼ NW¼	NE¼ SW¼	NE¼ SE¼	NW¼ NE¼	NW¼ NW¼	NW¼ SW¼	NW¼ SE¼	SW¼ NE¼	SW¼ NW¼	SW¼ SW¼	SW¼ SE¼	SE¼ NE¼	SE¼ NW¼	SE¼ SW¼	SE¼ SE¼	Totals
14S	39E	20									40		40		40	40	40	40	240
		29	40	40	40	40			40	40	40	40	40	40	40	40	40	40	560
		32	40	40	40	40				40					40	40		40	320
		33	40	40			40	40			40	40	40	40					320
		28						40	40	40	40	40	40	40					280
		21											40						40

The date of priority which said user is prepared to establish is ~~April 1 1901~~ March 8, 1956

Geo. H. Winter

State Reclamation Engineer

R-986

RT

Form No. 11
2M - 10/60

RECEIVED
Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) February 22, 1962

(P. O.) Preston, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the The Preston Citizen of Preston, Idaho published in the county in which the works are situated Franklin Co.

THE TWIN LAKES CANAL COMPANY

By _____

Secretary-Treasurer

(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.

R-986

TWIN LAKES CANAL COMPANY

PRESTON, IDAHO

February 22, 1962

Mr. George N. Carter,
State Reclamation Engineer,
Statehouse,
Boise, Idaho.

Dear Mr. Carter:

Inclosed is authorization for publication; Notice of Publication; of the Twin Lakes Canal Company, Preston, Idaho, in connection with Permit No. R-986, for proof of application of water to beneficial use.

Will you kindly take whatever action is appropriate, and advise us.

Very truly yours,

C. L. Swenson,
Secretary-Treasurer

cc - Directors
Manager

R-986

March 16, 1962

RE: Permit No. R-986

C. L. Swenson, Secretary
Twin Lakes Canal Company
Preston, Idaho

Dear Mr. Swenson:

Enclosed is the amendment to the point of diversion on Permit No. R-986 which has been recorded in this department.

Also enclosed is departmental receipt No. 30985 in the amount of $1.00 covering the recording fee.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

Enc. amendment
receipt

R-986

TWIN LAKES CANAL COMPANY

PRESTON, IDAHO

March 14, 1962

RECEIVED
MAR 16 1962
Department of Reclamation

Re: Permit No. R 986

Mr. Ralph W. Thomas,
Deputy State Reclamation Engineer,
Statehouse, Boise, Idaho.

Dear Mr. Thomas:

The Notice of Date to Make Proof date of April 13, 1962, is agreeable.

The completed Amendment to Point of Diversion is also inclosed.

Thank you,

C. L. Swenson
Secretary

cc - Directors
Mgr. Sears

R-986

MAR 16 1962

Department of Reclamation

Application for Amendment

POINT OF DIVERSION

Permit No. R-986

Comes now Twin Lakes Canal Co. and represent to the State Reclamation Engineer of the State of Idaho:

That he is (are) the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. R-986.

That the point of diversion is described in said Permit as being located: N 62° 30" 665' distant from the SE corner of Sec. 1, T11S, R4OE and is in the SW¼SE¼, Sec. 1, T11S R4OE BM

That he now requests that the point of diversion be changed to a point located: SW¼ SE¼ Sec. 1, T11S, R4OE BM

That the reason for desiring to make such change is as follows:

Error in original tie to section corner.

That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at Preston, Idaho, this 14th day of March, 1962.

TWIN LAKES CANAL CO.

By

C. L. Swenson
Secretary

Date of Receipt at Department of Reclamation: March 16, 1962

APPROVAL OF STATE RECLAMATION ENGINEER

CARL E. TAPPAN, Assistant

I, [illegible], State Reclamation Engineer of the State of Idaho, HEREBY APPROVE the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. R-986. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Carl E. Tappan
State Reclamation Engineer

Recorded in Book 4 of Permits, at Page 986
March 16, 1962

R-986

March 14, 1962

Re: Permit No. R-986

Mr. C. L. Swenson, Secretary
Twin Lakes Canal Company,
Preston, Idaho.

Dear Mr. Swenson:

Returned herewith is the photo copy of the legal notice you sent to this office with other papers. The copy has been changed to agree with the notice sent to the paper. If the date to make the proof changed to April 13, 1962, is not agreeable, you may notify the paper to change as necessary, provided the change leaves time for the four publications before date of making the proof.

Also enclosed is a form, Amendment to Point of Diversion, which I have prepared for signature to remove the error from the permit. The check for fee to record the amendment is being retained in this office.

Kindly complete the amendment form at your earliest convenience and note if the changed date for making the proof is agreeable.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

RALPH W. THOMAS
Deputy State Reclamation Engineer

Encl.
RWT:pmk

R-986

February 28, 1962

Re: Permit No. R-986

C. L. Swenson, Secretary
Twin Lakes Canal Co.
Preston, Idaho

Dear Mr. Swenson:

We received the forms, legal notice of intention to make proof of beneficial use of water under reservoir permit No. R-986.

The point of diversion is shown as N 62° 30' 665' distant from SE corner of Section 1, T. 14 S., R. 40 E. and is in the SW¼SE¼, Sec. 1 which is the same as on our record of the permit. That description is obviously in error as the distance would place the point of diversion in the SE¼SE¼, Sec. 1, provided the bearing was "west", which is not shown.

The point of diversion should be shown correctly in the legal notice and request that you complete the enclosed form for amending the point of diversion. There is a fee of $1.00 for recording any amendment to a permit.

The Certificate of Completion of Works has not been issued as the dam must be inspected by an engineer from this office. We expect to have the report in the near future.

Kindly send the amendment, with fee, at your earliest convenience in order that the legal notice can be corrected and sent to the paper.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew
enc. amendment

R-986

February 22, 1962

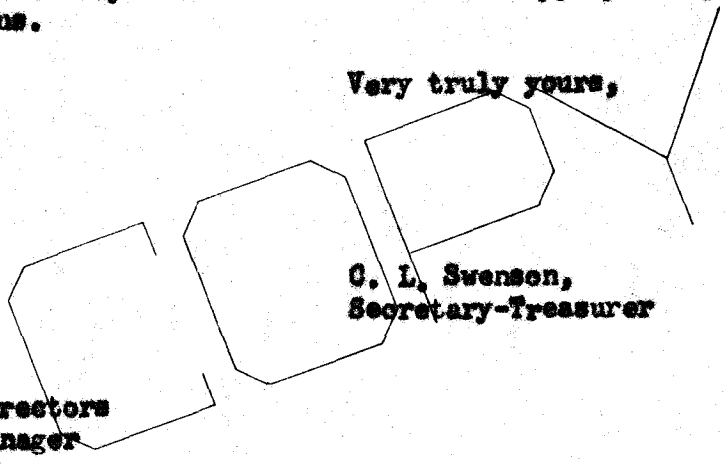
Mr. George N. Carter,
State Reclamation Engineer,
Statehouse,
Boise, Idaho.

Dear Mr. Carter:

Inclosed is authorization for publication; Notice of Publication; of the Twin Lakes Canal Company, Preston, Idaho, in connection with Permit No. R-986, for proof of application of water to beneficial use.

Will you kindly take whatever action is appropriate, and advise us.

Very truly yours,



C. L. Swenson,
Secretary-Treasurer

cc - Directors
Manager

R-986

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

March 14, 1962

Re: Permit No. R-986
Twin Lakes Canal Co.

Mr. C. L. Swenson, Secretary,
Twin Lakes Canal Co.,
Preston, Idaho.

Dear Mr. Swenson:

This acknowledges the Notice of Proof of ~~Completion of works and~~ Application of Water to Beneficial Use under Permit No. R-986, in the name of Twin Lakes Canal Company. Final Proof is to be made before you, as Notary on the 13th day of April, 1962, at 10:00 o'clock A.M., at Preston, Idaho.

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

It is important that the enclosed depositions be executed by the permit holder and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the time, on the date and before you, as Notary, as stated in the publication notice. 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, that your 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,

GEO. N. CARTER
State Reclamation Engineer

By:

Rule
(Mrs.) Edna P. ~~Rule~~
Chief Clerk

Encl.

EPR:Pk
cc: Applicant

R-986

FORM 10-A

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Re: Permit No. R-986

Date: Jan. 3, 1962

Twin Lakes Canal Co.
Preston, Idaho

Dear Sirs:

The date for proof of application of water to beneficial use, as set out under the terms of Permit No. R-986 is due not later than March 26, 1962. If by this date you are not prepared to make this proof, you may make it at a later date, however, your priority will be advanced the same length of time for which the proof is late.

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 within the county.

We enclose Form 10, 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 form, in duplicate, is to include the time of day, the date, the name of the town, the address of the Notary Public before whom you will appear to make the depositions of 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 land 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.

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 10.

At the time we send the notice to the newspaper we will send to 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 field inspection to have been irrigated at the time of proof.

Very truly yours,

Geo. N. Carter

GEO. N. CARTER
State Reclamation Engineer

Enc. Form 10-11

R-986

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Reinstatement) of Permit No. R-986 Under the) Provisions of Section 42-311 Idaho) Code)

ORDER REINSTATING PERMIT

WHEREAS, Permit No. R-986 lapsed through failure of the holder to make proof of completion of the works of diversion within the time specified in the Permit, to-wit: March 26, 1959 ; and,

WHEREAS, On the 12 day of May , 19 59 notice to show cause why said permit should not be cancelled, under the provisions of Section 42-311, Idaho Code, was duly served on the holder of said permit; and,

WHEREAS, On the 8th day of July , 19 60 the holder filed notice of appearance to offer proof to show that the works of diversion under said permit were fully completed within the time required; and,

WHEREAS, On the 7 day of October , 19 60 depositions of the holder and two witnesses were received at the Department of Reclamation showing that the said works of diversion were completed within the time required in the permit; and,

WHEREAS, After examination of the said depositions, the State Reclamation Engineer of the State of Idaho, is fully satisfied that the works of diversion were completed as required under the terms of said Permit No. R-986 , and that the holder has acted in good faith;

IT IS, THEREFORE, Hereby Ordered that said Permit No. R-986 be, and the same is, hereby reinstated, and that a certificate of completion of works be issued to the applicant herein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this Department, at Boise, Idaho, this 11 day of October , 19 60.

Geo. H. Carter
State Reclamation Engineer

R-986

October 7, 1960

Re: Permit No. R-986

C. L. Swenson, Secretary
Twin Lakes Canal Company
Preston, Idaho

Dear Mr. Swenson:

We enclose herewith departmental receipt No. 30298 in the amount of $2.00 covering fee for a photostatic copy of Permit No. R-986.

We thank you for your remittance.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

E R:ew

R-986

October 4, 1960

Re: Permit No. R-986

C. L. Swenson, Secretary
Twin Lakes Canal Company
Preston, Idaho

Dear Sir:

On July 28, 1960, a photostatic copy of your permit was mailed to you, stating there was a charge of $2.00 for such copy.

To date we have no record of a payment of this fee.

Very truly yours,

Geo. N. Carter
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

R-986

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

July 28, 1960

DEPOSITIONS ARE OF NO VALUE
UNLESS AFFIDAVIT OF PUBLICATION
IS ATTACHED

Re: Permit No. R-986

Twin Lakes Canal Company,
Preston, Idaho.

Attention: C. L. Swenson, Secretary

Gentlemen:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. R-986. The proofs are to be made at 10:00 o'clock A.M., on the 26th day of September, 1960, ##### before C. L. Swenson, Preston, Idaho, Notary Public.

As of this date we have mailed the Notice to the Preston Citizen with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof and 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,

GEO. N. CARTER
State Reclamation Engineer

By:

Rule
(Mrs.) Edna P. [redacted]
Chief Clerk

R-986

Encl.
EPR:pmk
cc: Notary

P.S. We are enclosing a photostatic copy of your permit as per your letter of July 22nd. There is a charge of $2.00, and your check in that amount should be made out to the Department of Reclamation.

Sept. 6, 1960

Re: Permit No. R-986
Twin Lakes Canal Co.

The Preston Citizen
Preston, Idaho

Gentlemen:

Please mail us a tear sheet or copy of the Notice for Publication mailed to you on July 28, 1960 on Permit No. R-986 in the name of the Twin Lakes Canal Co.

We need this tear sheet for proofing as soon as possible after the first publication.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

H. PETH
Water Rights Clerk

HP:ew

R-986

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
Boise, Idaho

Re: Permit No. R-986
Twin Lakes Canal Company

Date: July 28, 1960

The Preston Citizen,
Preston, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to September 26, 1960 the date set for proof; the expense of the publication is to be paid by the applicant Twin Lakes Canal Company of Preston, Idaho to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this office with a copy or tear-sheet of the first publication.**

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

** If the first copy is not received in this office for checking purposes and errors appear in subsequent issues, it is possible that re-publication of corrected copy will be at your own expense.

Encl.
EPR rpmk

R-986

FORM 8

Notice for Publication
OF COMPLETION OF WORKS

Notice is hereby given that at 10:00 A. M., on the 26th day of September 19 60, at Preston, County of Franklin, State of Idaho, before C. L. Swenson, a Notary Public proof will be submitted of the completion of works for the ~~[illegible]~~ storage of 1930 acre feet of water, of the waters of Mink Creek, in accordance with the terms and conditions of a certain permit heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name of the perrson or corporation holding said permit is

Twin Lakes Canal Company

2. The postoffice address of such person or principal place of business of such corporation is

Preston, County of Franklin, State of Idaho.

3. The number of such permit is R 986, and the date set for the completion of such work ~~is~~ was March 26, 1959

4. Said water is to be used for irrigation purposes.

5. Said works of diversion ~~will be~~ were fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is ~~[illegible]~~ ~~cubic feet per second.~~

6. The amount of lands for which said water is available is ~~2200~~ 1760 acres, particularly described as follows:

in Sections 20, 21, 28, 29, 32, 33 all in T 14 S R 39 E BM under the Company Canal.

Geo. A. Carter

~~Commissioner~~ of Reclamation.

R-986

Form No. 11

RECEIVED
JUL 28 1960
Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) July 22, 1960

(P. O.) Preston, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the The Preston Citizen of Preston, Idaho published in the county in which the works are situated.

THE TWIN LAKES CANAL COMPANY

By _____ Secretary

(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.

R-986

TWIN LAKES CANAL COMPANY

PRESTON, IDAHO

RECEIVED
JUL 28 1960
Department of Reclamation

July 22, 1960

Mr. George N. Carter,
Idaho State Reclamation Engineer,
Statehouse, Boise, Idaho.

Dear Mr. Carter:

In filling ou the "Notice for Publication" in connection with Permit No. R-986, I find that the file in connection with this permit has been mislaid and I am unable to complete the notice indicating the description of the 2200 acres for which water is to be made available.

From your copy of our permit, or the application, will you be kind enough to fill this part of the Notice in so that it will be complete.

(Will you also be kind enough to send us a photostat of your copy of our permit. The courtesy will be very much appreciated.) Sent 7/28/60

Very truly yours,

C. L. Swenson
Secretary

Photostatic copy #2 ~

R-986

INTER-DEPARTMENT MEMO--1

DATE Aug 16, 1960

FROM

TO

SUBJECT R. 986 permit file has no connection with the principal part of the letter from Twin Lakes Canal Co. Dated July 22, 1960.

GNG

SIGNATURE

R. 986

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

July 28, 1960

Re: Permit No. R-986

DEPOSITIONS ARE OF NO VALUE

UNLESS AFFIDAVIT OF PUBLICATION

IS ATTACHED

Twin Lakes Canal Company,
Preston, Idaho.

Attention: C. L. Swenson, Secretary

Gentlemen:

This acknowledges the Notice of Proof of Completion of Works ~~and Application for~~ ~~Water to Beneficial Use~~ under Permit No. R-986. The proofs are to be made at 10:00 o'clock A.M., on the 26th day of September, 1960, ~~####~~ before C. L. Swenson, Preston, Idaho, Notary Public.

As of this date we have mailed the Notice to the Preston Citizen with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof and 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,

GEO. N. CARTER
State Reclamation Engineer

By:

Hale
(Mrs.) Edna P. ~~Eskridge~~
Chief Clerk

R-986

Encl.
EPR: pmk
cc: Notary

P.S. We are enclosing a photostatic copy of your permit as per your letter of July 22nd. There is a charge of $2.00, and your check in that amount should be made out to the Department of Reclamation.

July 8, 1960

Re: Permit No. R-986

Lester P. Sears, Manager
Twin Lakes Canal Company
Preston, Idaho

Dear Mr. Sears:

Enclosed are forms with instructions to make your proof of completion of works.

Form 8, Notice for Publication, must be completed in duplicate and returned with the Form 11, Authority for this office to have the notice published.

The Form 6 you sent in to this office is only to be used in case the amount of water claimed is not over 6.4 cubic feet per second or 1600 acre feet.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

RT:EPR:ew

Form 8 - 11 - instructions

R-986

June 25, 1970

Re: Permit No. (R986/13-2296)

COPY

Twin Lakes Canal Co.
Twin Falls, Idaho

ATTENTION: Secretary

Gentlemen:

We are writing in case our letter of June 12, 1970, does not clarify the questions in your letter of June 8, 1970.

Under the provisions of which the appropriation was applied for by your organization, Permit No. R986 was approved, and under these same provisions, the procedure outlined in the Idaho Statutes required that a licensing fee be paid before a water right is established. Should this fee not be paid, and the permit be cancelled, then no water right will have been established under this permit. The fee is for an examination of the lands covered by the system.

The only priority established by this permit was a priority of March 25, 1956. Therefore, I am sure the water right previously established on Mink Creek in 1902 was a primary right, and that this storage facility constituted additional, or supplemental water for the lands previously served. If this permit is allowed to be cancelled, then the water master will not be able to deliver the volume of water as indicated by the permit.

If you require any further assistance, please contact us directly.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/cm

TWIN LAKES CANAL COMPANY

PRESTON, IDAHO

RECEIVED
JUL 8 1960
Department of Reclamation

July 6, 1960

Mr. George H. Carter,
Idaho State Reclamation Engineer,
Statehouse, Boise, Idaho.

Dear Mr. Carter:

Enclosed find "Proof of Completion of Works" duly executed, relative to Permit No. R986.

Please accept our aplogy for the delay in reporting this to your office.

The Dam was completed on August 23, 1958, and storage was used for the season 1958-59 in the amount of 648 acre feet, and for the 1959-60 season 1175 acre feet.

In searcing our files recently for other information I came upon your letter dated January 1, 1959, advising us of the completion date and a letter dated May 15, 1959, advising us of the need to cancel permit No. R986 if not reported by a certain date. These letters had been properly filed by the company secretary Mr. C. L. Swenson but had escaped my attention.

I had the understanding from the Project Engineer, Mr. Wendell Smith, that he would report the completion of works to your office as he planned to visit there in September, 1958, and supposed that he had done so. I had also wondered why we had not heard from you.

I hope this explains the delay in this matter satisfactory to you. If any other information is necessary, or the execution of any further forms or affidavits are desired, will you please advise us.

Respectfully,

Lester P. Sears

L. P. Sears, Manager.

Proofs due Mar. 26, 1959
Cancelled July 31, 1959

R-986

Form 15-R

RECEIVED
JUL 8 1960
Department of Reclamation

Permit No. R- 986

Proof of Completion of Works

DEPOSITION OF HOLDER

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

Ans. Twin Lakes Canal Company Lester P. Sears, Manager,
Preston, Idaho Clifton, Idaho

Ques. 2. If acting on behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans. Twin Lakes Canal Company, Preston, Idaho.
C. L. Swenson, Secretary, Preston, Idaho. By appointment of the Board of Directors.

Ques. 3. State number and date of permit, acre feet of water you claim for storage, and source of same.

Ans. R 986 - March 8, 1956
1930 acre feet of water. Source: Mink Creek

Ques. 4. Under terms of permit construction was required to be completed by March 26, 1959 19.

Ques. 5. Construction was actually completed on the date of Aug. 23, 1958 19

Ques. 6. Does the construction fully comply with the specifications? With the exception of the spillway.

Ques. 7. Of what material was the dam built? Clay

Ques. 8. State whether or not the water has been turned into your reservoir, and if so, when and to what extent.

Ans. Water was turned in October 10, 1958
For 1958-59 Season, used to the extent of 648 acre feet.
For 1959-60 Season, used to the extent of 1175 acre feet.

Ques. 9. The capacity of the reservoir is 1930 acre feet.

Ques. 10. The area of the high water line of the reservoir is 100 acres.

Ques. 11. The height of the dam above bottom of reservoir is 58 feet, above low water is 58 feet.

Ques. 12. The dimensions of the spillway are Not completed. and the bottom of the spillway is 6 feet below the top of the dam. (As per design)

Ques. 13. Dimensions of the reservoir outlet are 30 inch corrugated pipe encased in concrete.

Ques. 14. Describe the gate and control unit.

Ans. Armco - Model CP 8

Ques. 15. The reservoir outlet is made of reinforced concrete.

Ques. 16. Is the reservoir filled through a feeder canal? Yes.

Ques. 17. If so, where is the point of diversion for same?

Ans. SW ¼ SE ¼ Section, 22 Twp. 14 S. Range 39 E. B. M.

R-986

Ques. 18. Does the feeder canal comply with the specifications in the permit? Yes.

Ques. 19. If not, explain .....

Ques. 20. Cost of constructing feeder canal? $ 3500.00 Cost of reservoir? $ 104,000.00

Ques. 21. State whether or not the works from reservoir outlet to place of use are fully completed, and whether or not they comply with the specifications in permit. If not, explain.

Ans. Nothing asked in permit.

Ques. 22. Water has (~~has not~~) been delivered to place of intended use? Yes.

Ques. 23. Give description of dam, state dimensions, and give slope of face both upstream and downstream. Also method and material for protecting against wave action.

Ans. Top width 20 ft.; Top Length 875 ft.; Face Slope 3:1,; Back Slope 2:1.

Ques. 24. State the purpose for which the water is to be used and give the place of use, and if for irrigation, state the number of acres, and give the legal description of same.

Ans. As described in permit.

(Sign here) Foster P. Lean

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 Preston, County of Franklin, State of Idaho, on this 6 day of July A .D. 19 60.

Notary Public

My commission expires 2-6-61

August 15, 1957

RE: Permit No. R-986
Plans

Mr. Wendell H. Smith
Engineer
Preston, Idaho

Dear Mr. Smith:

Herewith: One set of approved plans under Permit No. R-986 -

Twin Lakes Canal Company Dam, Winder Lateral.

Very truly yours,

Mark R. Kulp
State Reclamation Engineer

MRK:nls

Mailed in the mailing tube containing above mentioned plans. 8/15/57

R-986

Form 24-a

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

IN THE MATTER OF CANCELLATION OF PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO, No R-986

ORDER OF CANCELLATION

WHEREAS, Permit No. R-986 lapsed through failure of the holder to make proof of completion of works within the time specified in the Permit, to-wit:

Completion of Works Proof which was due March 26, 1959, and

WHEREAS, due notice was given the holder of said Permit that such proof would be due on the date above mentioned, and

WHEREAS, on May 12, 1959, notice was sent to the holder of said Permit to appear before the State Reclamation Engineer on or before 40 days to show cause why such Permit should not be cancelled, and

WHEREAS, the holder of said Permit has failed to comply with the said requirements, and that no showing has been made as to completion of the works under said Permit:

IT IS THEREFORE, hereby ordered that Permit No. R-986 be and the same is hereby cancelled and held for naught.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this Department, at Boise, Idaho, this 31st day of Muly, 1959

Geo. N. Carter
State Reclamation Engineer

R-986

Form 24

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

May 12, 1959

Re: Permit No. R-986

To Twin Lakes Canal Company

Preston, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. R-986 to Appropriate the Public Waters of the State of Idaho, have not been complied with as to

Completion of Works Proof which was due March 26, 1959

you are hereby notified in compliance with Sec. 42-311, Idaho code that said Permit No. R-986 is hereby held for cancellation.

You are hereby required to show cause before the State Reclamation Engineer on or before forty days from date of this notice why said Permit should not be cancelled.

Said Permit No. R-986 claims the use of 1930 M.F. cubic feet per second of the waters of Mink Creek with point of diversion located SW¼SE¼ Sec. 22, Twp. 14 S., Rge. 39 E.B.M., and was approved March 26, 1956

In Witness Whereof, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, the 12th day of May, 1959

Geo. M. Love

State Reclamation Engineer.

By _____

Assistant.

R-986

Form 3811
Rev. 1-52

RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the number of which appears on the face of this Card.

1 Twin Lakes Canal Co.
(Signature or name of addressee)

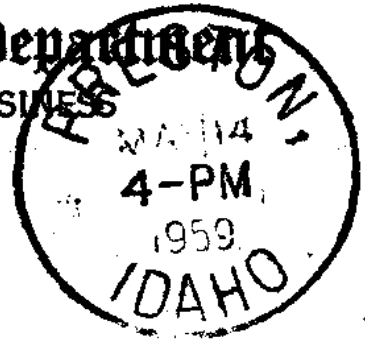
2 Elva Kerr
(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

Date of delivery MAY 14 1959, *19*

U. S. GOVERNMENT PRINTING OFFICE 16—12481-2

Post Office Department

OFFICIAL BUSINESS



PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, $300
(GPO)

POSTMARK OF DELIVERING OFFICE

Return to State Department of Reclamation
(NAME OF SENDER)

Street and Number, or Post Office Box, Room 107, State House,

~~REGISTERED~~ ARTICLE
CERTIFIED

Post Office Boise, Idaho

No. _____

INSURED PARCEL

No. 19960

16—12421

State _____

R-986

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE.

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Re: Permit No. R-986

Boise, Idaho
January 1, 1959

Twin Lakes Canal Co.
Preston, Idaho

Dear Sir:-

Under the terms of your permit No. R-986 you are required to complete you diversion works on or before March 26, 1959. 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 permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of $5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

R-986

WENDELL H. SMITH
ENGINEER
REGISTERED IDAHO - WYOMING - UTAH
PRESTON, IDAHO

Aug. 10, 1957

RECEIVED
AUG 12 1957
Department of Reclamation

Mr. Mark R. Kulp
State Reclamation Engineer
State House
Boise, Idaho

Dear Mr. Kulp:

Under seperate cover I am sending two sets of revised plans for the Twin Lakes Canal Co. Winder lateral.

We plan to raise the dam 7 feet higher than was previously approved. We plan on raising the high water line from contour 83 to contour 90.

When the canal company applied for a storage permit the permit was granted to the 90 contour. We will appreciate your review and approval of the revised plans and also any helpful suggestions that you might have.

Very truly yours.
Wendell H. Smith

Permit R 986

R-986

March 30, 1956

RE: Permit No. R-986

Twin Lakes Canal Co.
Preston,
Idaho

Gentlemen:

We enclose Permit No. R-986 and direct attention to the limitations and conditions as given on the fourth page under approval ofthe State Reclamation Engineer.

We also enclose departmental receipt No. 27869 for the $6.75 filing fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:hll
Enc.

R-986

NOTICE FOR PUBLICATION OF COMPLETION OF WORKS

Notice is hereby given that at 10:00 a. m. on the 26th day of September, 1960, at Preston, County of Franklin, State of Idaho, before C. L. Swenson, a Notary Public, proof will be submitted of the completion of works for the storage of 1930 acre feet of water, of the waters of Mink Creek, in accordance with the terms and conditions of a certain permit heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name of the person or corporation holding said permit is Twin Lakes Canal Company.

2. The postoffice address of such person or principal place of business of such corporation is Preston, County of Franklin, State of Idaho.

3. The number of such permit is R 986, and the date set for the completion of such work was March 26, 1959.

4. Said water is to be used for irrigation purposes.

5. Said works of diversion were fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit is 1930 feet.

6. The amount of lands for which said water is available is 760 acres, particularly described as follows: in sections 20, 21, 28, 29, 32, 33, all in T. 14 S., R. 39 E.B.M. under the company canal.

GEO. N. CARTER
State Reclamation Engineer

1rst Pub. Aug. 18, 1960
last Pub. Sept. 8, 1960

R 986

WENDELL H. SMITH
ENGINEER
REGISTERED IDAHO - WYOMING - UTAH
PRESTON, IDAHO

R-679

March 6, 195-

Mr. Mark R. Kulp
State Reclamation Engineer
State House
Boise, Idaho

Dear Mr. Kulp:

In accordance with the request in your letter of Feb. 17, 195-6 for an application to build a dam the above mentioned application is inclosed.

However, you will note that the application is for 1930 Acre ft. of storage. The plans submitted for your approval show that the Company only anticipates building the dam for the present time to the 88 ft. contour to hold 1300 Acre ft. of water. The Board of Directors thought that they should ask for a permit at this time to store 1930 acre ft. as they feel that they will want to raise the dam to the maximum capacity of 1930 Acre ft. in the near future.

You will note that the question 56 of the application states only Twin Lakes Canal. The dam is filled by gravity directly from

R-986

WENDELL H. SMITH
ENGINEER
REGISTERED IDAHO - WYOMING - UTAH
PRESTON, IDAHO

the existing Canal. However, I do not have the legal description of the point of diversion of the Canal out of Mink Creek. I am sure that you have in your office this information on previous application submitted by the Twin Lakes Canal Co. I would appreciate it very much if your office could look up this information and insert it in the application. I am in Jackson Wyoming at the present time and do not have the files of the Twin Lakes Canal Company with me to obtain that information. Thank you very much for your interest in our problems.

Very truly yours

Wendell H. Smith

R-986

February 17, 1956

Mr. Wendell H. Smith
Preston
Idaho

Dear Mr. Smith:

We have reviewed the plans and specifications for the proposed Twin Lakes Canal Co. Dam on the Winder Lateral and will approve them as soon as an application for permit is submitted and approved.

We enclose a form of application for permit to construct a reservoir and appropriate and store the public waters of the state of Idaho, together with a pamphlet giving regulations and instructions in regard to filing same.

When this application is approved, it will be signed by the proper State Officials and sent you as a use permit under which you may proceed with the construction of the work described in the application. In order to complete the water right, two proofs are required as follows:

First, proof of completion of works which is made by affidavit before a Notary Public. The time required for making this proof should be stated under Question 18 in the application.

The final proof is made when the water has been completely applied for irrigation or whatever purpose it is intended. Notice of such proof must be published for four consecutive weeks in a county newspaper at your expense, and at the time set for proof, depositions of yourself and two witnesses are required in proof of such beneficial use. The additional time required for making this proof should be stated under Question 19 in the application.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

K:hll
Enc.

R-986

Smith -

We have received the plans and specifications for the proposed Twin Lakes Canal Co Dam on the Wrinden Lateral and will approve them as soon as an application for permit is submitted and approved

We enclose form

Reservoir Permit

R-986

of water from such well in violation of such order shall be unlawful to the same extent as tampering with headgates closed by a watermaster pursuant to Section 4120 of Title 17, Idaho Code Annotated, and shall be a violation of this act.

SEC. 17. APPEALS FROM ACTIONS OF THE STATE RECLAMATION ENGINEER.

Any person dissatisfied with any decision, determination, order, or action of the State Reclamation Engineer made pursuant to this act may within sixty (60) days of notice thereof take an appeal therefrom to the District Court for any county in which the ground water concerned therein may be situated. Appeal shall be taken by serving a notice of appeal upon the State Engineer, together with a statement describing the decision, determination, order or action appealed from and setting forth the reasons why the same was erroneous. Whenever the decision, determination, order or action of the State Reclamation Engineer appealed from was made pursuant to a hearing before the State Reclamation Engineer to which the appellant was a party or at which the appellant had a right to be heard, the State Reclamation Engineer shall, upon receipt of service of notice of appeal, transmit to the District Court a certified transcript of the evidence received at such hearing which shall be evidence to be considered by the District Court with other evidence at the hearing on the appeal. Appeal to the Supreme Court from the final judgment rendered by the District Court pursuant to the Section may be taken within the same time and in the same manner as appeals from final judgments in cases commenced in the District Court are taken to the

WENDELL H. SMITH
ENGINEER
REGISTERED IDAHO - WYOMING - UTAH
PRESTON, IDAHO

Feb 15, 1956

Mr. Mark R. Kulp
State Reclamation Engr.
State House
Boise, Idaho

Dear Mr. Kulp:

Inclosed herewith are Three sets of Specifications for your approval and recommendations, for the proposed Twin Lakes canal Co. Dam on the Winder Lateral.

Three sets of plans are being forwarded under seperate cover. You will not that the proposed spillway was shown as you suggested. I have shown it 10' wide at the botton.

Very truly yours
Wendell H. Smith

RECEIVED
FEB 16 1956
Department of Reclamation

R-986