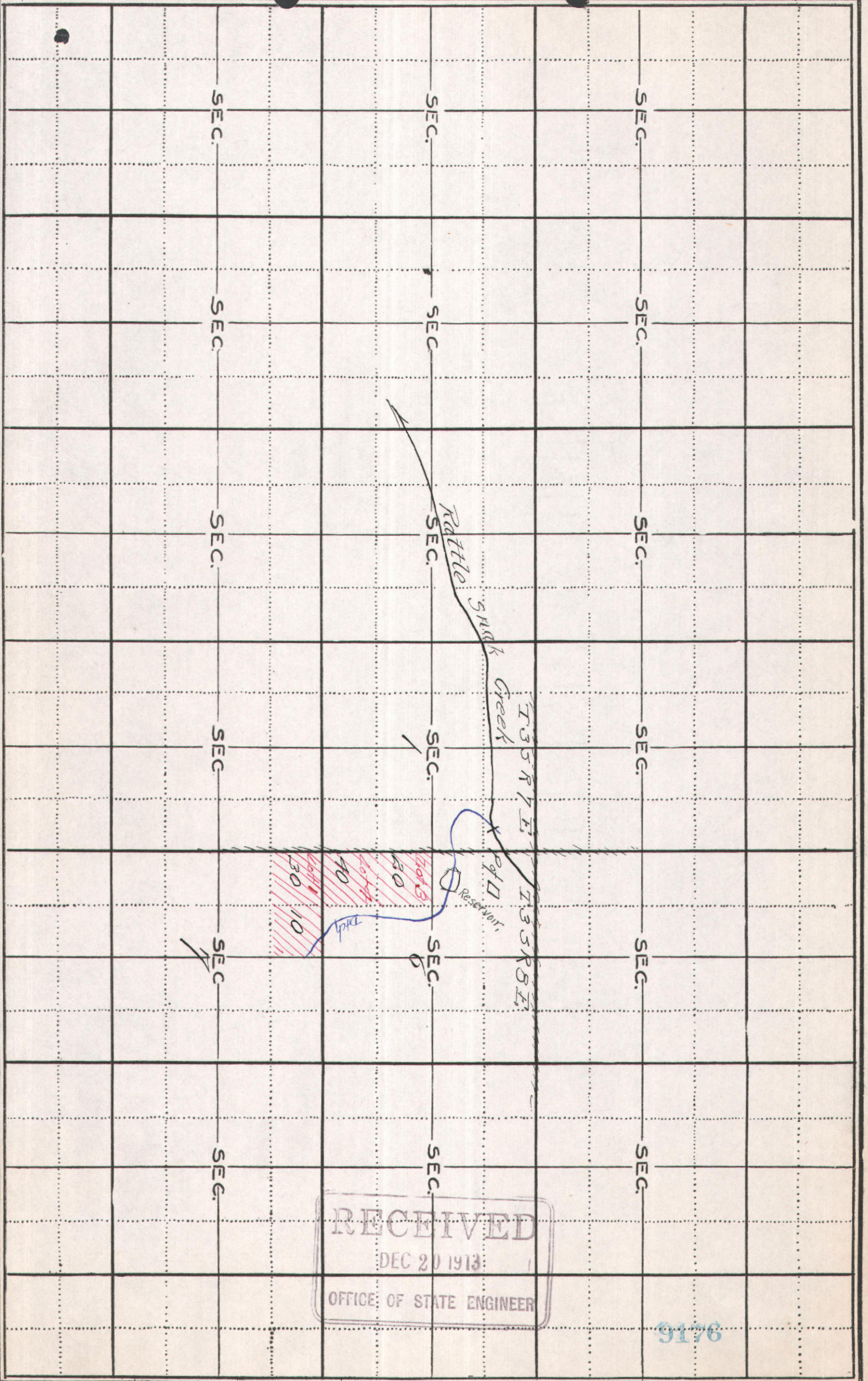
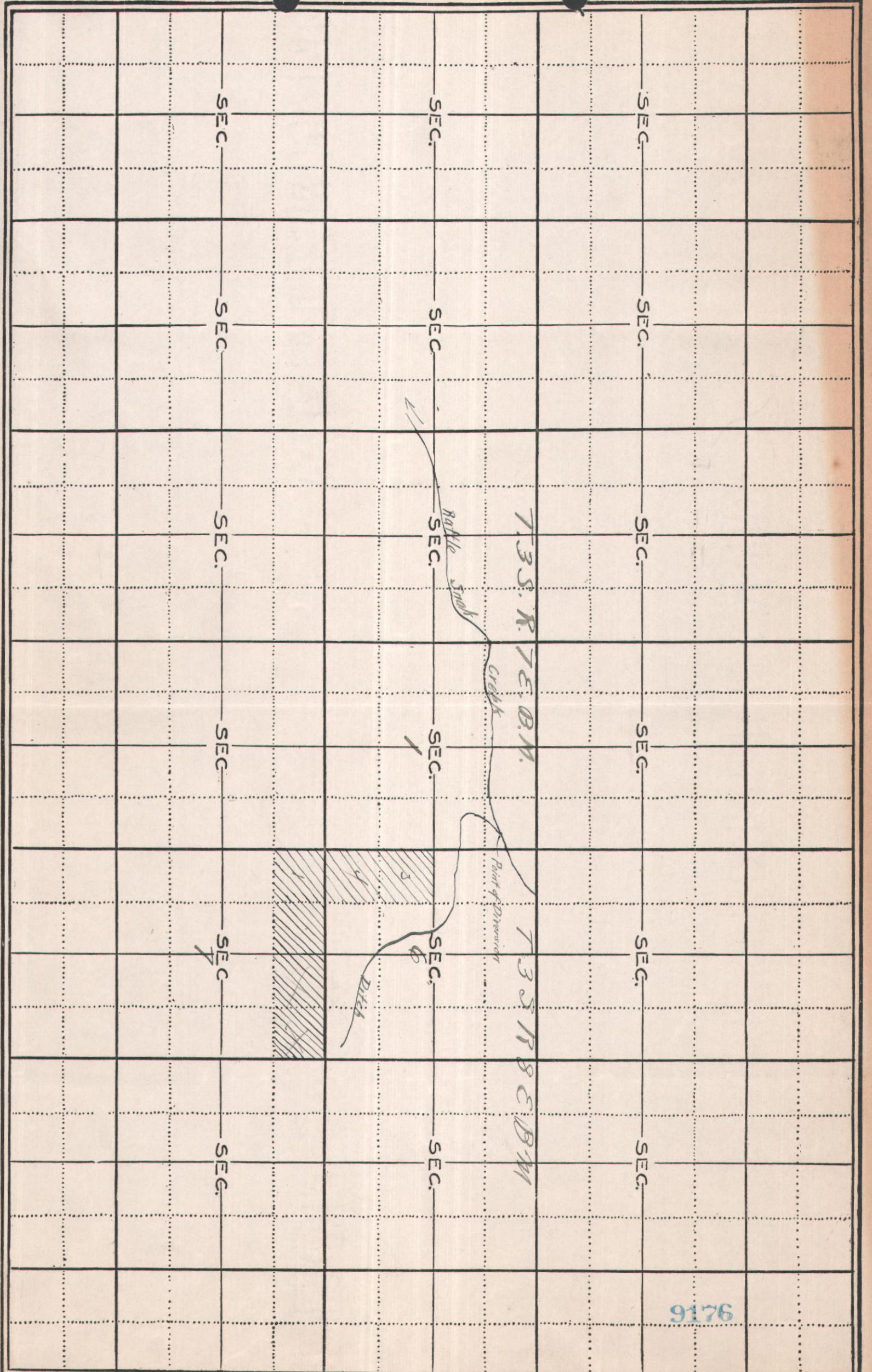


Name of Applicant Bernice Kief Permit No 9176



Name of Applicant *L. L. Keil*



9176

RECEIVED  
NOV 12 1913

# Proof of Publication

## Notice for Publication.—Permit No 9176. Notice of Proof of Application of Water to Beneficial Use.

Notice is hereby given that at 2 P. M. on the 15th day of November, 1913, at Boise, County of Ada, State of Idaho, at office of State Engineer, proof will be submitted of the application to beneficial use of two (2) cubic feet per second of the waters of Rattlesnake creek, in accordance with the terms and conditions of Permit No. 9176, heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person holding said permit are Bernice P. Kief. Mountain Home, Idaho.
2. The use to which said water has been applied is irrigation and domestic use.
3. The amount applied to beneficial use is two (2) cu. ft. per sec.
4. The place where said water is used is Lot 1, NE 1-4 of NW 1-4 Sec. 7, and Lots 3 and 4, Sec. 6, T. 3 S, R. 8 E. B. M.
5. The right to take the water from such works is based upon Permit No. 9176.
6. The source of supply from which such water is diverted is Rattlesnake creek.
7. The date of the priority which said user is prepared to establish is March 29, 1913.

10-20-11-10

F. P. KING,  
State Engineer.

*F. J. Murphy* being duly sworn deposes and says that he is the *Publisher* of The New Time, a newspaper of general circulation in Mountain Home and Elmore County, Idaho, and that the attached notice was first published in the issue of the *20* day of *October* 191*3* and was published for *4* consecutive weeks thereafter, the last publication being in the issue of the *10* day of *November* 191*3*

State of Idaho  
County of Elmore ss.

*F. J. Murphy*

Subscribed and sworn to before me this *11th* day of *Nov* 191*3*

9176

*Thos. J. Melton*

Notary Public in and for said County and State

My commission expires *Aug 16-1915*

County: Elmore.  
 Stream: Rattlesnake Creek.  
 Amount: ~~1~~ 25 cu. ft.  
 Use: irrigation.  
 Priority: January 20, 1913.

## STATE OF IDAHO

Water License No. 9176

WHEREAS, On the 20th day of January, A. D. 1913,

J. L. Kief  
 of Mountain Home, County of Elmore, State of Idaho, duly made application  
 (No. 13638) to me for a permit to use 4.8 cubic feet per second of the waters of  
 Rattlesnake Creek

County of Elmore, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 29th day of March, A. D. 1913, Permit No. 9176 was issued  
 to said applicant for the diversion of said water and providing for the completion of the works of diversion  
 therein described on or before the 29th day of March, A. D. 1916, and for the application to ben-  
 efitial use of said water on or before the 29th day of March, A. D. 1918, and,

WHEREAS, On the 21st day of April, A. D. 1913, J. L. Kief transferred all  
 his right, title and interest in and to said permit to Bernice I. Kief, and

WHEREAS, On the 15th day of November, A. D. 1913,

Bernice I. Kief  
 the holder of said permit, duly made proof of the completion of adequate works for the diversion of  
 two (2) cubic feet per second of said waters, as evidenced by my Certificate No. 9176  
 dated December 27, 1913, confirming the completion of works of sufficient capacity for diverting and  
 conveying to the place of intended use two (2) cubic feet per second of said water,  
 with date of priority of January 20, 1913, and

WHEREAS, On the 15th day of November, A. D. 1913,  
 Bernice I. Kief

the holder of said permit, duly made proof of the application to beneficial use of 2 cubic  
 feet per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I  
 hereby grant and confirm to Bernice I. Kief

of Mountain Home, County of Elmore, State of Idaho, the holder and owner  
 of said Permit No. 9176, a perpetual right, dating from January 20, 1913  
 to the use of 2 cubic feet per second of the waters of Rattlesnake Creek,

in the County of Elmore and State of Idaho, or so much thereof as may be necessary for the  
 purposes hereinbelow mentioned, to be diverted at a point in Lot 1, Section 1, Township 3  
 South, Range 7 East of Boise Meridian,

and conducted to and upon 100 acres, divided as follows: 30 acres in Lot 1, Section 7,  
 10 acres in the NE $\frac{1}{4}$  of NW $\frac{1}{4}$ , Section 7, 20 acres in Lot 3, Section 6, and 40 acres  
 in Lot 4, Section 6, all in Township 3 South, Range 8 East of Boise Meridian,

for the purpose of irrigation and domestic use, subject, however, to the laws of the  
 State of Idaho, applicable to a license for the use of the waters of the State, and subject, also, to the local  
 or community customs, rules and regulations which have been or may be adopted from time to time by  
 a majority of the users from a common source of supply, canal or lateral from which such water may  
 be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 27th day of December  
 A. D., nineteen hundred and thirteen.

F. P. KING,

(Seal)

State Engineer.

61 2037

No. 13638

**APPLICATION FOR PERMIT**

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: J. L. Keif.

Postoffice address: Mountain Home

County: Elmore

State: Idaho.

I. If applicant is a corporation, give

(a) Date and place of incorporation:

(b) The amount of capital stock:

(c) The amount paid in:

(d) Names and addresses of directors:

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

(b) Treasury stock:

(c) Bonds to be issued:

(d) Other resources:

2. The quantity of water claimed is 4.8 cubic feet per second.

3. Source of water supply: Rattlesnake Creek.

4. Location of point of diversion: Lot 1 Sec. 1 Twp. 3 S. R. 7 E. B.M.

5. To be used for: Irrigation and domestic use. County of Elmore

I. Irrigation and domestic use: (a) Amount of land to be irrigated: 240 acres.

(b) In the following legal subdivisions: Lot 1 NE $\frac{1}{4}$  NW $\frac{1}{4}$  and N2 NE $\frac{1}{4}$  Sec. 7 and  
W2 SW $\frac{1}{4}$  Sec. 6 T. 3 S. R. 8 E. B. M. Sec. 6 T. 3 S. R. 8 E. B. M. Being  
unsurveyed land.

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

[a] At what point:

[b] Amount of power to be generated:

H. P. under

ft. head

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

(d) If so, name stream and locate point of

6. Estimated cost of works: \$1,000.00

7. Description of works for diversion:

I. Kind of works: Ditch with Wooden Headgate at Point of diversion.

II. Dimensions of works:

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

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

[b] Capacity of reservoir acre feet. [c] Size of headgate, width feet,

Height feet. (d) Conduit Ditch width at bottom 5 feet,

width at water line 8 feet, depth of water 1 feet; diameter of pipe

inches; average grade per mile is 5 feet. Length of conduit is 1 $\frac{1}{2}$  miles,and it crosses the following quarter sections: NE $\frac{1}{4}$  Sec. 1 T. 3 S. R. 7 E. B. M.;NW $\frac{1}{4}$  SW $\frac{1}{4}$  and SE $\frac{1}{4}$  Sec. 6 T. 3 S. R. 8 E. B. M. Sec. 6 T. 3 S. R. 8 E. B. M.

being unsurveyed land.

8. The time required for the completion of the construction of such work is 3 years.

9. Time required for the complete application of the water to the proposed use is 2  
additional years.BE IT KNOWN That the undersigned hereby makes application for a permit to appropriate the public  
waters of the State of Idaho as herein set forth.

J. L. Keif

Applicant.

By

A. V. Tallman

Agent.

Date of first receipt at office of State Engineer 1.15 P.M. January 20, 1913.  
Returned to applicant for correction February 19, 1913.  
Corrected application received March 11, 1913.

APPROVAL OF STATE ENGINEER.

The number of this permit is 9176  
Recorded in Book 90 Page 9176 Approved March 29, 1913.  
This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions.  
Bond in the sum of \_\_\_\_\_ to be filed on or before \_\_\_\_\_  
Work to begin on or before May 29, 1913 . and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.  
One-fifth of the work above specified to be completed on or before September 29, 1913  
The whole of said work to be completed on or before March 29, 1916.  
Beneficial use of water appropriated in accordance herewith, to be made on or before March 29, 1918.  
Witness my hand this 29th day of March , 1913.

F.P.KING. State Engineer.

Remarks:

THIS INDENTURE, Made the 21 day of April, in the year of our Lord, one thousand nine hundred and thirteen, between J. L. Kief of Mountain Home, County of Elmore, State of Idaho, the party of the first part, and Bernice I. Kief, of Mountain Home, County of Elmore, State of Idaho the party of the second part,

WITNESSETH: That the said part of the first part, for and inconsideration of the sum of One Dollar, lawful money of the United State of America, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever QUITCLAIM, unto the said party of the second part, and to her heirs and assigns, all certain waters located or designated by Permit No. 9176, filed in the Office of the State Engineer on ..... day of..... in the year of our Lord one thousand nine hundred and thirteen.

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, All and singular, the said premises, together with the appurtenances, unto the said party of the second partand to her heirs and assigns forever.

IN WITNESS WHEREOF, The said party of the first part has hereunto set his hand, the day and year first above written.

Witnesses: Lennie Sears J.L.Kief.  
and \_\_\_\_\_ Nelson.

STATE OF IDAHO, )  
COUNTY OF MINIDOKA, ) SS.

On this 21 day of April, in the year 1913 before me Hardy Sears a Justice of the Peace in and for said County, personally appeared J. L. Kief, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Recorded by   
Checked by

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this Certificate first above written.

Hardy Sears,

Justice of Peace, Minidoka Precinct.

My office expires the first Monday in January, 1915.

Received and filed for record in the office of the State Engineer at Boise, Idaho, at 11.00 A. M. April, 23, 1913.

F. P. King,

State Engineer.

Proof of Completion of Works and Beneficial Use of Water made November 15, 1913.

Report of Engineer received December 20, 1913.

Fees received December 27, 1913.

Certificate and License issued December 27, 1913.

6- - - - -6

PERMIT NO. 9176.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:

This is to certify that Bernice I. Kief of Mountain Home, County of Elmore, and State of Idaho, the holder of Permit No. 9176, issued upon Application No. 13638, bearing date of priority of January 20, 1913, authorizing the diversion of 4.8 second feet of the waters of Rattlesnake creek, County of Elmore, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use two (2) second-feet of the waters of Rattlesnake Creek; that the point of diversion of said waters is at a point in Lot 1, Section 1, Tp. 3 S., R. 7 E. B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Lot 1 and the NE<sup>1</sup>/<sub>4</sub> of NW<sup>1</sup>/<sub>4</sub>, Section 7, Lots 3 and 4, Section 6, Tp. 3 S., R. 8 E. B. M., containing 140 acres.

Witness my hand this 27th day of December, A. D. 1913.

F. P. KING,

State Engineer of the State of Idaho.

License issued for 2 second feet

Page 1511

December 27, 1913.

Permit 9176

Mrs. Bernice I. Kief,  
Mountain Home, Idaho.

Madam:

Am enclosing you herewith certificate of  
completion of works and water license issued  
under above permit, also, receipts for fees.  
You will note that license has been issued for  
5/8 of an inch to the acre, at the request of  
Mr. A. V. Tallman.

Very truly yours,

F. P. KING,

State Engineer.

C&L-R6118-6119

By \_\_\_\_\_

9176

9176 61008

John L. Kiel

RAILROAD CONTRACTOR

Mountain Home, Idaho. 12/24/13.

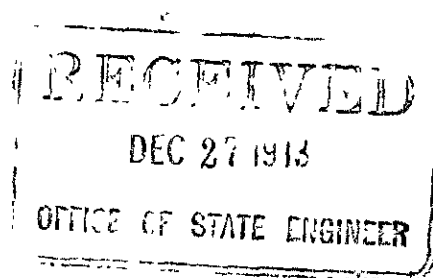
F. J. King Esq.,  
State Engineer,  
 Boise, Idaho.

Dear Sir:-

Enclosed please find check, First Natl.  
Bank, Boise, for fifteen dollars (\$15.00) in pay  
of fees for Groshon Rates, Permit #9176, as per  
voucher of the Trust. To Mr. A. T. Tallman.  
Kindly send license & certificate to above address.

Very sincerely,  
John L. Kiel

Mrs John L. Kiel  
Mountain Home, Ida.



9176

December 20, 1913.

Permit 9176-Bernice P. Kief.

Mr. A. V. Tallman,  
Boise, Idaho.

Sir:

Am just in receipt of satisfactory report  
for proof of beneficial use of water under above  
permit. Upon receipt of fees amounting to \$13.00,  
the certificate and license will be issued.

Very truly yours,

M. P. KING,

State Engineer.

By \_\_\_\_\_

9176

## REPORT OF ENGINEER

1. State name of applicant and number of permit: Bernice P Kief P# 9176
2. State source of water supply: Rattle snake Creek
3. Location of point of diversion: ME<sup>4</sup> ME<sup>4</sup> Sec 1 T35R7E B.M.

4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: .....

5. Describe works as they exist, giving dimensions of same as follows:

- |                                       | <u>Flume</u>  | <u>Ditch</u>                    |
|---------------------------------------|---------------|---------------------------------|
| (a) Width of conduit at bottom: ..... | <u>16"</u>    | <u>2"</u>                       |
| (b) Width at water line: .....        | <u>16"</u>    | <u>4'</u>                       |
| (c) Depth of water: .....             | <u>12"</u>    | <u>1'</u>                       |
| (d) Grade per mile: .....             | <u>10'</u>    | <u>10' to 50'</u>               |
| (e) Capacity of ditch: .....          | <u>OVER 2</u> | <u>2' and more</u> second feet. |

6. State whether or not water has been turned into works of diversion and if so, to what extent:

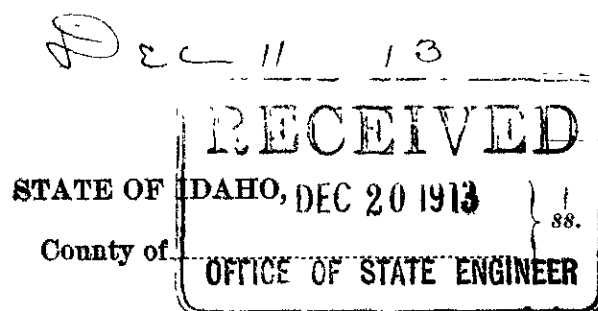
Water was turned in but was dry at this time

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each

forty acre tract: Lot 1 30 Acres in cultivation Sec 7 - T35R8E ✓  
ME NW<sup>4</sup> 10 " " " Sec 7 - T35R8E ✓  
Lot 3 20 " " " Sec 6 - T35R8E ✓  
Lot 4 40 " " " Sec 6 - T35R8E ✓

8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.

Remarks: There are two reservoirs used for an additional water supply.



Walter R Hays

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

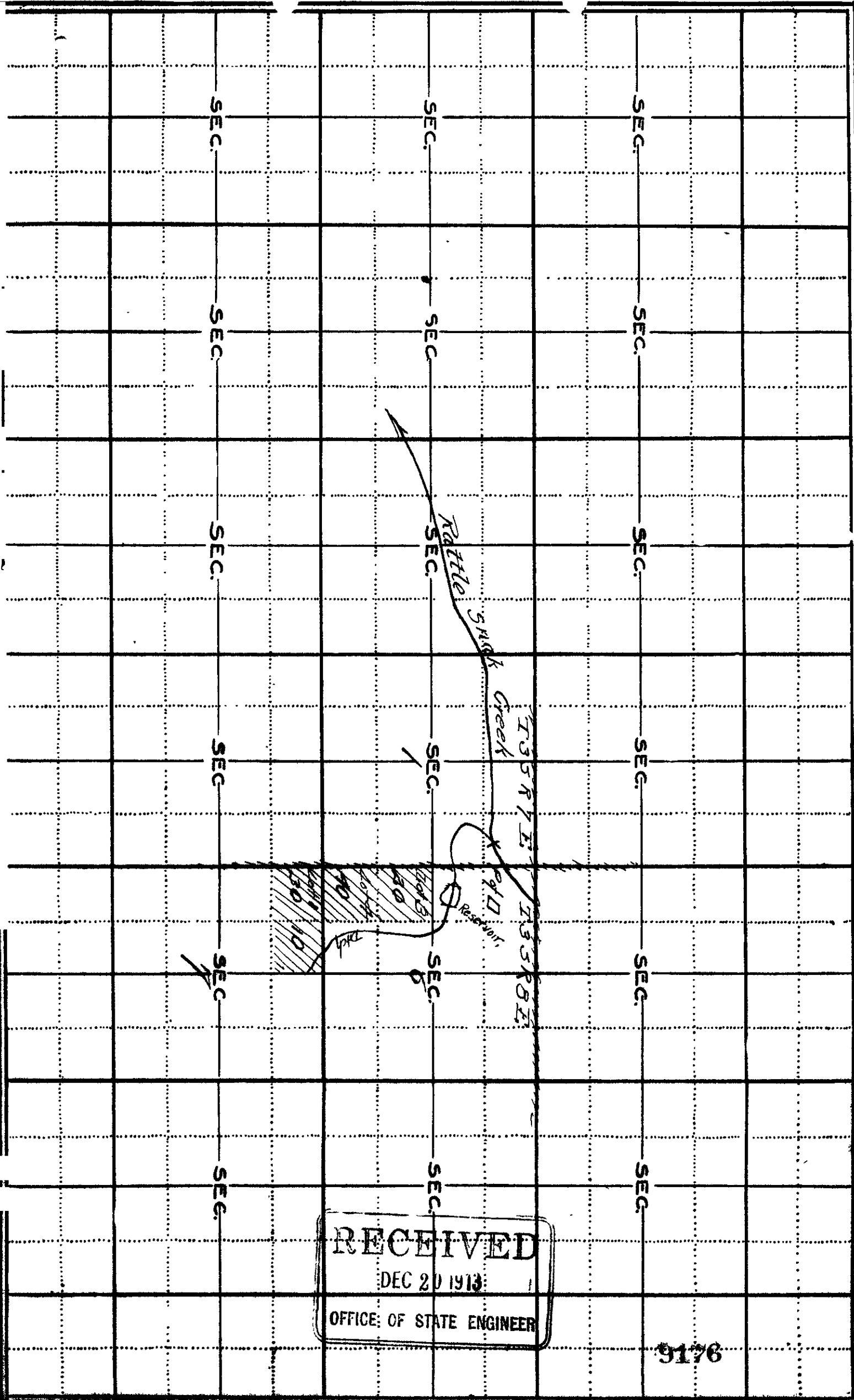
Subscribed and sworn to before me this..... day of..... 191.....

My Commission Expires: .....

Notary Public.

9176

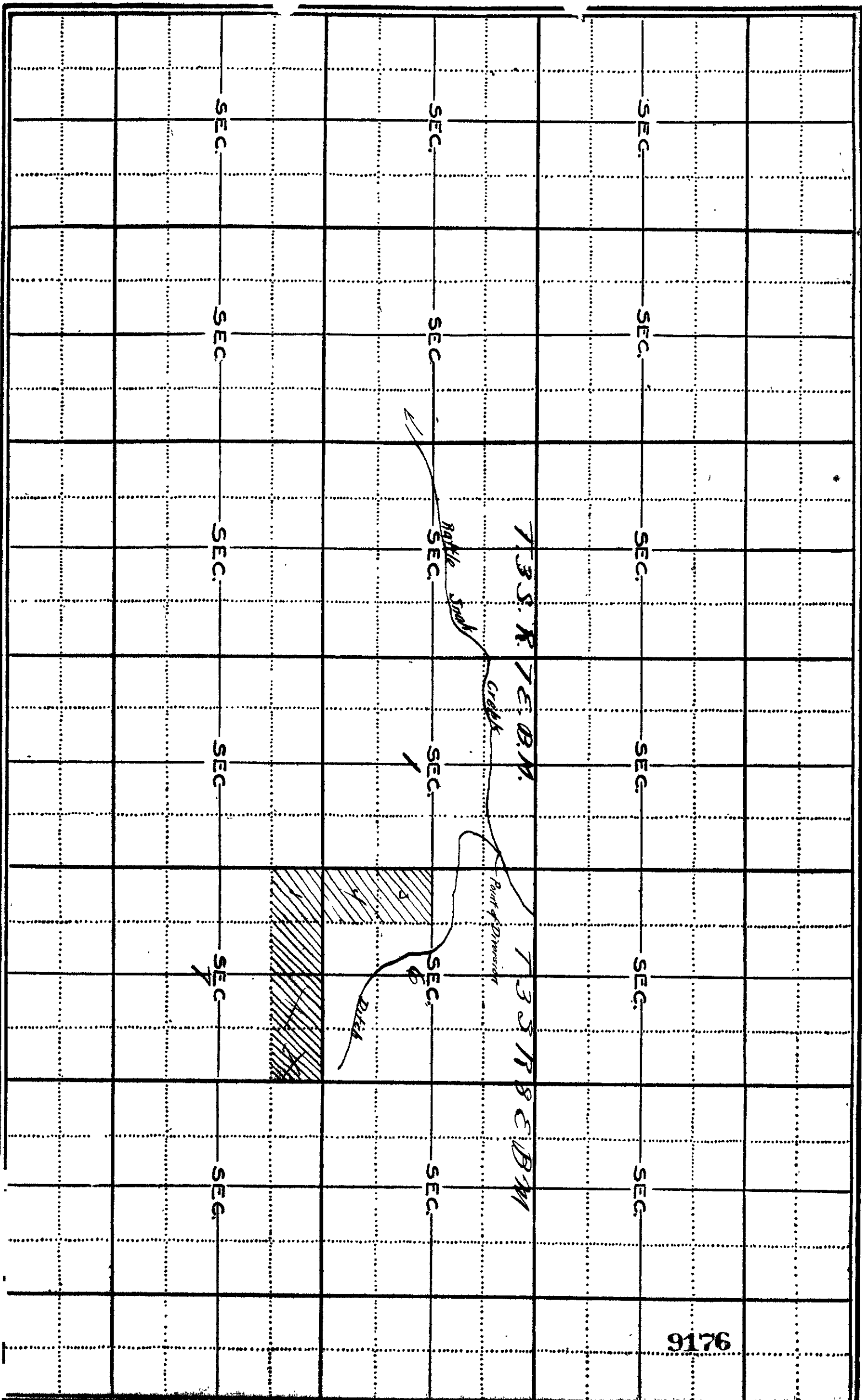
Name of Applicant Bernice L Kief Fe. nit No 9176



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OFFICE OF STATE ENGINEER

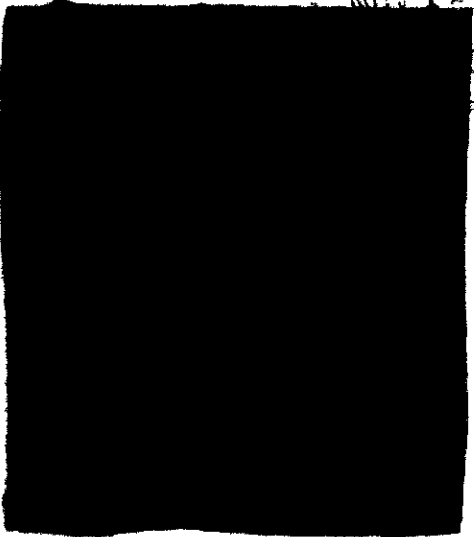
9176

Name of Applicant *J. L. Keil*



9176

# Proof of Publication

 **ENGINEER** J. J. Murphy being duly sworn deposes and says that he is the Publisher of The New Time, a newspaper of general circulation in Mountain Home and Elmore County, Idaho, and that the attached notice was first published in the issue of the 20 day of October, 1913 and was published for 4 consecutive weeks thereafter, the last publication being in the issue of the 10 day of November, 1913.

State of Idaho  
County of Elmore ss.

Subscribed and sworn to before me this

9176

21<sup>st</sup> day of Nov 1913  
Chas. Melton

Notary Public in and for said County and State

My commission expires

Aug 16-1915

Boise, Idaho, November 11, 1913.

Permit 9176- Kief.

Mr. T. J. Murphy.  
Mountain Home, Ida.

Sir:—

Replying to yours of the 8th inst.  
in the above would say that the bill for  
this publication should be presented to  
Kief, and the Affidavit of Publication  
forwarded to this office.

Very truly yours.

F. P. KING.

State Engineer.

By \_\_\_\_\_

W/L.

9176

THE NEW TIME, \$2 YEAR  
MOUNTAIN HOME IDAHO  
T J MURPHY ED

11/8/13.

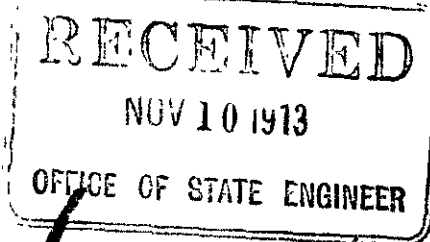
State Engineer F. P. King, Boise, Idaho:

Dear Sir—In case of Bernice Kief, Publication of Notice of Proof of Water for Beneficial Use, Permit No. 9176, running in this paper, next week's issue (Monday) will see the last of the insertions ordered. Shall I forward affidavit of publication to you, or shall I hold it to be called for; and to whom shall I send the bill? If to you, and regular official form is required, I have no state vouchers.

Thanking you for patronage,

Sincerely yours, \_\_\_\_\_

T. J. Murphy, New Time.



9176

P 9176

Permit No. 9176.

# Proof of Application of Water to Beneficial Use

## DEPOSITION OF HOLDER

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

Ans. **Bernice P. Kief, over 21 years, Mountain Home, Farmer,  
Mountainhome, Idaho**

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

Ans.

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

Ans. **Permit No. 9176, March 29, 1913, Jan. 20, 1913.**

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

Ans. **Rattlesnake creek, Lot 1, Sec. 1, T. 3 S., R. 7 E.B.M.**

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. **Approx. 200 ft. of wooden flume 12" by 16", earthen ditch  
to land- wooden headgate in creek 3' by 21. Flume 1.33 ft. on bottom,  
1.33 ft. at top, 5 ft. deep. Length 200 ft. about 3/4 mile of earth  
ditch. Will carry two (2) second feet of water.**

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

Ans.

**Irrigation and domestic use on 30 acres in Lot 1, 10 acres in  
NE $\frac{1}{4}$  of NW $\frac{1}{4}$ , Sec. 7, 40 acres in Lot 4 and 20 acres in Lot 3,  
Sec. 6, all in T. 3 S., R. 8 East B.M. All cultivated land.**

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

Ans. **No**

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

Ans. **5/8 inch to the acre.**

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

Ans. **I am**

Permit No

Proof of Application of Water to  
Beneficial Use

DEPOSITION OF HOLDER

Amount of Water: second feet

Source

County

Purpose

Place of use

Date of Priority

Received and filed

THE TRIBUNE POCATELLO, IDAHO

My commission expires May 23, 1915.

Notary Public

A. D. 1913.

Ad

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 \_\_\_\_\_, State of Idaho, on this 15th day of November, \_\_\_\_\_, County of \_\_\_\_\_.

(Sign)

Ans. None

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.

et 1913.

Ans. Land has all been irrigated during the irrigation season

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

Permit No. 9176

**Proof of Application of Water to Beneficial Use****DEPOSITION OF WITNESS**

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

Ans. W. H. Hinton, over 21 years, Mountain Home, Laborer, Mountain Home.

Ques. 2. Are you acquainted with Barnice P. Kief, the  
her  
holder of Permit No. 9176? How long have you known ~~him~~ and where does <sup>she</sup> reside?

Ans. About 4 years. Mountain Home, Idaho.

Ques. 3. Have you read or heard read said Permit No. 9176, and are you familiar with its provisions and conditions?

Ans. I am

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. Rattlesnake creek, Lot 1, Sec. 1, T. 3 S., R. 7 E. B.M.  
Approx. 200 ft. of wooden flume 12" by 16", earthen ditch to land.  
wooden headgate in creek 3' by 2'. Flume 1.33' on bottom, 1.33' on  
top, 5 ft. deep. Length 200 ft. About 3/4 mile of earth ditch.

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. Will carry 2 second feet- Have seen that much in the ditch

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

Ans. Irrigation and domestic use on 30 acres in Lot 1, 10 acres  
in NE 1/4 of NW 1/4, Sec. 7, 40 acres in Lot 4 and 20 acres in Lot 3,  
Sec. 6, T. 3 S., R. 8 E. B.M. All cultivated land.

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

Ans. No

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. Clay loam- will require about 5/8 of an inch to the acre.

9176

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. During the irrigation season of 1913 saw the water used  
to full amount on the land for the irrigation of same.

(Sign) W. J. Hinton

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 Boise, County of Ada, State of Idaho, on this 15th day of November A. D. 1913.

Clara M. Brown  
Notary Public.

My Commission Expires May 23, 1915

Permit No. 9176

## Proof of Application of Water to Beneficial Use

## DEPOSITION OF WITNESS

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

Ans. A. V. Tallman, over 21 years, Boise, Idaho, Engineer

Ques. 2. Are you acquainted with Barnice P. Kief, the holder of Permit No. 9176? How long have you known her and where does he reside?

Ans. About 3 years - Mountain Home, Idaho

Ques. 3. Have you read or heard read said Permit No. 9176, and are you familiar with its provisions and conditions?

Ans. I have

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. Rattlesnake creek, Lot 1, Sec. 1, T. 3 S., R. 7 E. B.M.  
Approx. 200 ft. of wooden flume 12" by 16", earthen ditch to land  
wooden headgate in creek 2' by 8'. Flume 1.33' on bottom, 1.53' on top,  
5 ft. deep. Length 200 ft. about 3/4 mi. of earth ditch.

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. Will carry 2 second feet. I have seen that much running in the ditch.

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

Ans. Irrigation and domestic use on 30 acres in Lot 1, 10 acres in NE 1/4 of NW 1/4, Sec. 7, 40 acres in Lot 4 and 20 acres in Lot 3, Sec. 6, T. 3 S., R. 6 E. B. M. All cultivated land.

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

Ans. No

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. Clay loam - will require about 5/8 of an inch to the acre.

9176

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. Saw water in the ditches during the season of 1913 to the amount of 2 second feet.

(Sign)

A. V. Fallman

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 Boise, County of Ada, State of Idaho, on this 15th day of November, A. D. 1913..

Clara M. Burton

Notary Public.

My Commission Expires May 23, 1915.

Permit No. 9176

## OFFICE OF STATE ENGINEER

## PROOF OF COMPLETION OF WORKS

## AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Ada

ss.

Bernice P. Kief ... being first duly sworn upon his oath deposes and says:

First: That he is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho, No. 9176 and that ~~his~~<sup>her</sup> postoffice address is Mountain Home State of Idaho

Second: That under the terms and conditions of said permit, construction thereunder was required to be completed by March 29, 1916.

Third: That the use for which said water is intended is irrigation and domestic

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

I. Kind of works: Approximately 200 feet of wooden flume 12" by 16"  
(Reservoir, dam, ditch, flume, pipe or otherwise.)  
earthen ditch to land- wooden headgate in creek.

II. Dimensions of work

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

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

(b) Capacity of reservoir ... acre feet.

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

(d) Conduit Flume width at bottom 1.33 feet, width at water line 1.33 feet, depth of water 10" ~~xxx~~ diameter of pipe ... inches;

(State whether ditch, flume or pipe.)

average grade per mile is 5 feet. Length of conduit is 200 ft ~~xxx~~ flume about 3/4 mi. earth ditch

Fifth. That said works are capable of conducting to the place of intended use two (2) second feet of water.

Sixth. That water appropriated under said permit is available for 149 acres of land described as follows: Lot 1, NE 1/4 of NW 1/4 Sec. 7 and Lots 3 & 4 Sec. 6, T. 3 S., R. 8 E.B.M.

Seventh. Remarks: That Two small reservoirs have been built on the above described land to store water for the purpose of supplementing the flow of water in Rattlesnake creek.

Bernice P. Kief  
Sign here.

Subscribed and sworn to before me this 15th day of November, 1913.

My commission expires May 23, 1915.

Clara M. Brown  
Notary Public.

9176

RECEIVED

(Date)

OCT 16 1913

OFFICE OF STATE ENGINEER

Mountain Home, Ida.,

Oct. 15, 1913.

State Engineer, Boise

Dear Sir:

I have your letter of ~~October 14~~, 1913, enclosing Notice of Proof of Beneficial Use of Water under Permit No. 9176 which will be published as you request, beginning with our issue of ~~October 20~~, 1913

*W. J. Murphy*

*Ed. New Time*

9176

October 8, 1913.

Permit 9176

Bernice P. Kief,  
Mountain Home, Idaho.

Madam:

In regard to your proof under above permit would say that, under the new law, where the amount of water claimed does not exceed 6.4 second feet, notice for proof of completion of works is not required to be published. All that is required in such cases is the affidavit of holder, form for which is herewith enclosed. This affidavit can be made out at the same time the depositions for proof of beneficial use of water are submitted.

It will not be necessary for you and your two witnesses to make the trip to Boise in order to make this proof, unless you prefer to do so. The proof can be made before any notary public at Mountain Home, or any other place more convenient to yourself and witnesses. If you desire to make this change in the notice, please advise us at once as the notice will be sent to the paper the first of next week.

Very truly yours,

F. P. KING,

State Engineer.

F5-6

By \_\_\_\_\_

9176

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) September 25, 1913  
(P. O.) Mountain Home, Idaho

To the State Engineer,  
Boise, Idaho.

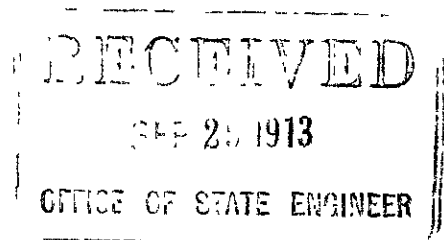
Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the  
New Line, of Mountain Home, published in the  
county in which the works are situated.

Ernest P. Kilg

(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.



## NOTICE FOR PUBLICATION

## Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 2 P a. m. on the 15th day of November, 1913,  
 at \_\_\_\_\_, County of \_\_\_\_\_, State of Idaho,  
 before Ada, proof will be submitted  
~~XXXX at Office of State Engineer~~  
 of the application to beneficial use of two (2) cubic feet per second of the waters of  
Rattlesnake creek, in accordance with the terms and conditions of Permit No. 9176,  
 heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are. \_\_\_\_\_  
~~XXXXXXXX~~

Bornice P. Kief, Mountain Home, Idaho

2. The use to which said water has been applied is \_\_\_\_\_  
irrigation and domestic use.

3. The amount applied to beneficial use is \_\_\_\_\_  
two (2) cu.ft. per sec.

4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated)

Lot 1, NE $\frac{1}{4}$  of NW $\frac{1}{4}$  Sec. 7, and Lots 3 & 4 Sec. 6, T. 3 S., R. 8 E.B.M

5. The name of the canal or ditch or other works by which said water is conducted to such place of use is \_\_\_\_\_  
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~

6. The right to take the water from such works is based upon Permit No. \_\_\_\_\_  
5 9176

7. The source of supply from which such water is diverted is \_\_\_\_\_  
6 Rattlesnake Creek

8. The date of the priority which said user is prepared to establish is \_\_\_\_\_  
7 March 29, 1913.

F. P. KING,  
 State Engineer.

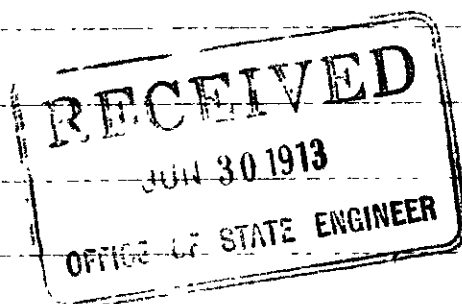
Blanco gives to Mr. Tallman

Mountain Home, Ga. 6/27/13.

F. J. King, Esq.,  
State Engineer,  
Grice, Ga.  
Dear Sir:-

Have been, ditches & reservoir  
ready to carry 30 inches & water - a part  
of that in which Permit 9176 was issued -  
on the 3rd Dec. 1st. 1886.

Truly,  
Sincerely, F. J. King



9176

May 3, 1913.

Permit 9176,

Mrs. Bernice I. Kief,  
Mountain Home, Idaho.

Madam;

I am returning you herewith the above numbered permit together with assignment, the same having been recorded in this office.

Very truly yours,

F. P. KING,

State Engineer.

P9176-A.

By \_\_\_\_\_

9176

STATE OF IDAHO  
ENGINEERING DEPARTMENT  
BOISE

A. E. ROBINSON,  
STATE ENGINEER

Permit No. 9176, J.L. Keig.

BOISE, IDAHO.

March 31, 1913.

A.V. Tallmar,  
Mountain Home, Idaho.

*Dear Sir:*

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

A. E. ROBINSON,  
*State Engineer.*

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