

State of Idaho
License and Certificate of Water Right

Water License No. 4736
 Water District No. 10-B

Amount 100 sec. ft.
 Priority 3-10-09

THIS IS TO CERTIFY that **S. H. Hays**
 of **Boise, Idaho**, made application for a permit to appropriate the
 public waters of the State of Idaho, dated **March 10**, 1909; that Permit No. **4736**
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
100 second feet, was issued thereunder on **March 18**, 1915, showing that said works
 were completed on the **7th** day of **June**, 1914; and that on the **10th**
 day of **October**, 1918,

Twin Falls Oakley Land & Water Company
 of **Oakley**, State of **Idaho**, made proof to the satisfaction of the
 Commissioner of Reclamation of Idaho, of the right to use the waters of **Birch Creek**
 , a tributary of , for the purpose of irrigation and
 domestic use, under Use Permit No. **4735** of the **State Engineer**
 and that said right to the use of said waters has been perfected in accordance with the laws of
 Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in
 Volume **6** of Licenses, at page **3104**, on the **23rd** day of **October**, 1923;

The right hereby confirmed dates from **March 10**, 1909;

The Point of Diversion is located
 in the **NW 1/4**, Sec. **11**, Tp. **14 S.**, R. **22 E.**, B. M. **Cassia County.**

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
 aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not
 exceed **100** cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
			Water to be used upon the irrigable portion of 25,000 acres of land covering 634 forty-acre tracts, or legal subdivisions, situated in and being a part of the Twin Falls Oakley Land & Water Company's Carey Act Project; the said water, together with the water afforded by Permits and Licenses Nos. 4731-4732-4733 and 4734, is appurtenant to and to be used as the water right for the Twin Falls Oakley Land & Water Company's Project.		

The right to the use of the water aforesaid 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 Commissioner of Reclamation, affixed at Boise, Idaho,
 this **23rd** day of **October**, 19 **23**.

W. G. SWENDSEN.
 Commissioner of Reclamation.

(SEAL)

45 2063

State of Idaho
License and Certificate of Water Right

Water License No. 4734
 Water District No. 10-B

Amount 70 sec. ft.
 Priority 3-10-09

THIS IS TO CERTIFY that **S. H. Hays**
 of **Boise, Idaho**, made application for a permit to appropriate the
 public waters of the State of Idaho, dated **March 10**, 19 **09**; that Permit No. **4734**
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
70 second feet, was issued thereunder on **March 18**, 19 **15**, showing that said works
 were completed on the **7th** day of **June**, 19 **14**; and that on the **10th**
 day of **October**, 19 **18**,

Twin Falls Oakley Land & Water Company
 of **Oakley**, State of **Idaho**, made proof to the satisfaction of the
 Commissioner of Reclamation of Idaho, of the right to use the waters of **Cottonwood**
Creek, a tributary of _____, for the purpose of **irrigation &**
domestic use, under Use Permit No. **4734** of the **State Engineer**
 and that said right to the use of said waters has been perfected in accordance with the laws of
 Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in
 Volume **6** of Licenses, at page **3103**, on the **23rd** day of **October**, 19 **23**;

The right hereby confirmed dates from **March 10**, 19 **09**;

The Point of Diversion is located **in the SW $\frac{1}{4}$, Sec. 17 and**
 in the **SE $\frac{1}{4}$, Sec. 7**, Twp. **13 S**, R. **21 E.**, B. M.
Cassia County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
 aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not
 exceed **70** cubic feet per second.

Description and location of use.

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
			Water to be used upon the irrigable portion of 25,000 acres of land covering 634 forty-acre tracts, or legal subdivisions, si- tuated in and being a part of the Twin Falls Oakley Land & Water Company's Carey Act Project; the said water, together with the water afforded by Permits and Licenses Nos. 4731-4732-4733 and 4735, is appurtenant to and to be used as the water right for the Twin Falls Oakley Land & Water Company's Project.		

The right to the use of the water aforesaid 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 Commissioner of Reclamation, affixed at Boise, Idaho,
 this **23rd** day of **October**, 19 **23**.

W. G. SWENDSEN.
 Commissioner of Reclamation.

(SEAL)

No. 6321

45-2063

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: S.H. Hays

Postoffice address: Boise

County: Ada

State: Idaho

II. The financial resources of the applicant are:

(a) Other resources: \$10,000

2. The quantity of water claimed is 300 cubic feet per second.

3. Source of water supply: Birch Creek

County of Cassia

4. Location of point of Diversion: NW 1/4 Sec. 11. Tp. 14 S.R. 22 E.

5. To be used for:

I. Irrigation and domestic use:

(a) Amount of land to be irrigated: 15,000 acres.

(b) In the following legal subdivisions: See List A. herewith and map.

6. Estimated cost of works: \$15000.00

7. Description of works for diversion:

I. Kind of works: Diverting dam, ditch and flume

II. Dimensions of works:

(a) Height of dam 10 feet, length of dam at top 25 feet, length of dam at bottom 15 feet. Material used in construction: Earth, stone, concrete and steel.

(i) Conduit ditch, width at bottom 24 feet, width at water line 36 feet, depth of water 3 feet. Average grade per mile is 2 feet. Length of conduit is 6 1/4 miles, and it crosses the following quarter sections: See list B. herewith and Map to land described in 5 I (b) above which is the point of intended use.

8. Time required for the completion of the construction of such work is 5 years,

9. Time required for the complete application of the water to the proposed use is 4 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.

S.H.Hays.

Applicant.

Remarks: These waters are to be collected in a reservoir on sections 19 and 30, Tp. 14 S. Range 22 east, and adjoining lands, for use on lands in List A. herewith, Distribution system from reservoir as shown in Application 6317.

 List of Lands to be irrigated from
 Birch Creek, under permit No. 4735.

Township 12 S.R. 20 E.B.M.

Section	1	- - - - -	-All - - - - -	640.00
"	2	- - - - -	" - - - - -	640.50
"	3	- - -	NE $\frac{1}{4}$, NE $\frac{1}{4}$ of NW $\frac{1}{4}$, NE $\frac{1}{4}$ of SE $\frac{1}{4}$ - - - - -	240.30
"	12	- E $\frac{1}{2}$ - - - - -	- - - - -	320.00
"	13	- E $\frac{1}{2}$ - - - - -	- - - - -	320.00
"	14	- NE $\frac{1}{4}$ - - - - -	- - - - -	160.00
"	24	- - E $\frac{1}{2}$, E $\frac{1}{2}$ of NW $\frac{1}{4}$ - - - - -	- - - - -	400.00
				<u>2720.80</u>

Township 12 S.R. 21 E.B.M.

Section	1	- E $\frac{1}{2}$, E $\frac{1}{2}$ of NW $\frac{1}{4}$, E $\frac{1}{2}$ and SW $\frac{1}{2}$ of SW $\frac{1}{4}$ - - - - -	519.47	acres
"	2	- SE $\frac{1}{4}$ of SE $\frac{1}{4}$ - - - - -	40.00	
"	3	- W $\frac{1}{2}$ and SE $\frac{1}{4}$ of SW $\frac{1}{4}$, SW $\frac{1}{4}$ of SE $\frac{1}{4}$ - - - - -	160.00	
"	4	- - - - -	-All - - - - -	633.70
"	5	- - - - -	" - - - - -	634.94
"	6	- - - - -	" - - - - -	633.94
"	7	- - - - -	" - - - - -	632.70
"	8	- - - - -	" - - - - -	640.00
"	9	- - - - -	" - - - - -	640.00
"	10	- - - - -	" - - - - -	640.00
"	11	- - - - -	" - - - - -	640.00
"	12	- - - - -	" - - - - -	640.00
"	13	- - - - -	" - - - - -	640.00
"	14	- - - - -	" - - - - -	640.00
"	15	- - - - -	" - - - - -	640.00
"	16	- - - - -	" - - - - -	640.00
"	17	- - - - -	" - - - - -	640.00
"	18	- - - - -	" - - - - -	633.86
"	19	- - - - -	" - - - - -	634.00
"	20	- - - - -	" - - - - -	640.00
"	21	- - - - -	" - - - - -	640.00
"	22	- - - - -	" - - - - -	640.00

"	23	- - - - -	"	- - - - -	-640.00
"	24	- - - - -	"	- - - - -	-640.00
"	25	- - - - -	"	- - - - -	-640.00
"	26	- - - - -	"	- - - - -	-640.00
"	27	- - - - -	"	- - - - -	-640.00
"	28	- - - - -	"	- - - - -	-640.00
"	29	- E $\frac{1}{2}$ of E $\frac{1}{2}$, N $\frac{1}{2}$ and SW $\frac{1}{4}$ of NW $\frac{1}{4}$	- - - - -	-	280.00
"	30	- NE $\frac{1}{4}$, NE $\frac{1}{4}$ of NW $\frac{1}{4}$, N $\frac{1}{2}$ and SE $\frac{1}{4}$ of SE $\frac{1}{4}$	- - - - -	-	-320.00
"	32	- - - E $\frac{1}{2}$ and SW $\frac{1}{2}$ of NE $\frac{1}{4}$, SE $\frac{1}{4}$ of NW $\frac{1}{4}$, NW $\frac{1}{4}$ of SE $\frac{1}{4}$	- - - - -	-	-200.00
"	33	- N $\frac{1}{2}$, SE $\frac{1}{4}$, E $\frac{1}{2}$ and SW $\frac{1}{4}$	- - - - -	-	560.00
"	34	- - - - -	- All	- - - - -	-640.00
"	35	- - - - -	"	- - - - -	-640.00
"	36	- - - - -	"	- - - - -	640.00

19964.61

Township 12 S.R. 22 E.B.M.

Section	4	- - - - -	All	- - - - -	-639.10 acres
"	5	- - - - -	"	- - - - -	637.93
"	6	- - - - -	"	- - - - -	-640.64
"	7	- - - - -	"	- - - - -	647.44
"	8	- - N $\frac{1}{2}$, N $\frac{1}{2}$ of SW $\frac{1}{4}$	- - - - -	-	400.00
"	9	- N $\frac{1}{2}$ of NE $\frac{1}{4}$	- - - - -	-	80.00
"	16	- - - - -	- All	- - - - -	640.00
"	18	- - - - -	"	- - - - -	-647.51
"	19	- - - N $\frac{1}{2}$ of N $\frac{1}{2}$	- - - - -	-	-161.79
"	20	- NW $\frac{1}{4}$ of NW $\frac{1}{4}$	- - - - -	-	40.00
"	28	- S $\frac{1}{2}$ and NW $\frac{1}{4}$	- - - - -	-	-480.00
"	29	- - - - -	- All	- - - - -	640.00
"	31	- - - - -	"	- - - - -	650.80
"	32	- - - - -	"	- - - - -	640.00
"	33	- - - - -	"	- - - - -	640.00
"	34	- - - - -	"	- - - - -	-640.00
"	35	- S $\frac{1}{2}$	- - - - -	-	320.00
"	36	- - - - -	- All	- - - - -	640.00
					9185.21

Township 13 S.R. 21 E.B.M.

Section	1	- - - - -	All	- - - - -	-644.10
"	2	- - - - -	"	- - - - -	647.12
"	3	- - - - -	All	- - - - -	644.12
"	4	- - - NE $\frac{1}{4}$, E $\frac{1}{2}$ of SE $\frac{1}{4}$	- - - - -	-	-239.40
"	10	- E $\frac{1}{2}$, NW $\frac{1}{4}$, E $\frac{1}{2}$ of SW $\frac{1}{4}$	- - - - -	-	-560.00

"	11	- - - - - All - - - - -	640.00
"	12	- - - - - " - - - - -	640.00
"	13	- - - - - " - - - - -	640.00
"	14	- - - - - " - - - - -	640.00
"	15	- NE $\frac{1}{4}$, NE $\frac{1}{4}$ of SE $\frac{1}{4}$ - - - - -	200.00
"	23	- NE $\frac{1}{4}$, NE $\frac{1}{4}$ of NW $\frac{1}{4}$, NE $\frac{1}{4}$ of SE $\frac{1}{4}$ - - - - -	240.00
"	24	- - - - - All - - - - -	640.00
"	25	- NE $\frac{1}{4}$, E $\frac{1}{2}$ of NW $\frac{1}{4}$, NW $\frac{1}{4}$ of SE $\frac{1}{4}$ - - - - -	280.00
			<u>6554.74</u>

Township 13 S.R. 22 E.B.M.

Section	.1	- SW $\frac{1}{4}$ of NW $\frac{1}{4}$, N $\frac{1}{2}$ and SE $\frac{1}{4}$ of SW $\frac{1}{4}$ - - - - -	160.00	Acres
"	2	- S $\frac{1}{2}$, NW $\frac{1}{4}$, W $\frac{1}{2}$ and SE $\frac{1}{4}$ of NE $\frac{1}{4}$ - - - - -	602.16	"
"	3	- - - - - All - - - - -	645.16	"
"	4	- - - - - " - - - - -	652.67	"
"	5	- E $\frac{1}{2}$ - - - - -	327.96	"
"	6	- W $\frac{1}{2}$ of NW $\frac{1}{4}$ - - - - -	91.01	"
"	7	- NW $\frac{1}{4}$ of NE $\frac{1}{4}$ - - - - -	40.00	"
"	8	- NE $\frac{1}{4}$, SE $\frac{1}{4}$ of NW $\frac{1}{4}$, NE $\frac{1}{4}$ of SW $\frac{1}{4}$, N $\frac{1}{2}$ of SE $\frac{1}{4}$ - - - - -	320.00	"
"	9	- - - - - All - - - - -	640.00	"
"	10	- - - - - " - - - - -	640.00	"
"	11	- NW $\frac{1}{4}$, W $\frac{1}{2}$ and NE $\frac{1}{4}$ of NE $\frac{1}{4}$, N $\frac{1}{2}$ of SW $\frac{1}{4}$ - - - - -	360.00	"
"	12	- NW $\frac{1}{4}$ of NW $\frac{1}{4}$ - - - - -	40.00	"
"	14	- W $\frac{1}{2}$ of W $\frac{1}{2}$ - - - - -	160.00	"
"	15	- NW $\frac{1}{4}$, E $\frac{1}{2}$ of E $\frac{1}{2}$ - - - - -	320.00	"
"	16	- - - - - All - - - - -	640.00	"
"	17	- NW $\frac{1}{4}$ of NE $\frac{1}{4}$, NE $\frac{1}{4}$ of NW $\frac{1}{4}$ - - - - -	80.00	"
"	18	- SW $\frac{1}{4}$ - - - - -	174.80	"
"	19	- N $\frac{1}{2}$ and SE $\frac{1}{4}$ of NW $\frac{1}{4}$, N $\frac{1}{2}$ and SW $\frac{1}{4}$ of SW $\frac{1}{4}$ - - - - -	260.06	"
"	22	- E $\frac{1}{2}$ - - - - -	320.00	"
"	23	- W $\frac{1}{2}$ of W $\frac{1}{2}$ - - - - -	160.00	"
"	26	- W $\frac{1}{2}$ of W $\frac{1}{2}$, NE $\frac{1}{4}$ of SW $\frac{1}{4}$ - - - - -	200.00	"
"	27	- SE $\frac{1}{4}$, E $\frac{1}{2}$ of NE $\frac{1}{4}$ - - - - -	240.00	"
"	30	- NW $\frac{1}{4}$ of NW $\frac{1}{4}$, SW $\frac{1}{4}$ of SW $\frac{1}{4}$ - - - - -	91.91	"
"	31	- NW $\frac{1}{4}$ and SE $\frac{1}{4}$ of NW $\frac{1}{4}$, NE $\frac{1}{4}$ of SW $\frac{1}{4}$ - - - - -	125.34	"
			<u>7291.07</u>	"

List B. Showing Quarter Sections crossed by

Diversion Canal from Birch Creek.

In twp 14 S.R. 22 E.B.M.

NW $\frac{1}{4}$ Section 11NE $\frac{1}{4}$, NW $\frac{1}{4}$ and SW $\frac{1}{4}$ Section 10SE $\frac{1}{4}$ Section 9

NE $\frac{1}{4}$, NW $\frac{1}{4}$ and SW $\frac{1}{4}$ Section 16

SE $\frac{1}{4}$ and SW $\frac{1}{4}$ " 17

NW $\frac{1}{4}$ " 20

NE $\frac{1}{4}$ " 19

Into Reservoir in Goose Creek, thence through canals, shown in Application No. 6317.

APPROVAL OF STATE ENGINEER

The number of this permit is 4735.

Date of first receipt of application: 9.00 a.m. March 10, 1909

Returned to applicant for correction: April 9, 1909

Corrected application received: June 7, 1909

Recorded in Book 13. Page 4735. Approved June 7, 1909

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 grant the same, subject to the following limitations and conditions:

Good and sufficient bond to be filed in the sum of \$1,000 on or before August 6, 1909.

One-fifth of the work above specified to be completed on or before December 7, 1911

The whole of said work to be completed on or before June 7, 1914.

The time for proof of beneficial use of water appropriated in accordance herewith, to extend to June 7, 1918.

Witness my hand this seventh day of June, 1909.

Jas. Stephenson, Jr.

State Engineer.

(See Assignment recorded under Permit 3751.)

Permit No. 4735

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:

This is to certify that the Twin Falls Oakley Land & Water Company, of Wilmington, County of _____, and State of Delaware, the holder of Permit No. 4735, issued upon Application 6321, bearing date of priority of March 10, 1909, authorizing the diversion of three hundred (300) second feet of the waters of Birch Creek, County of Cassia, 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 one hundred (100) second feet of the waters of Birch Creek; that the point of diversion of said waters is in the Northwest quarter (NW $\frac{1}{4}$) of Section 24, Township 14 South, Range 22 East of Boise Meridian; that the waters appropriated under said Permit are used in conjunction with waters appropriated under Permits Nos. 4731, 4732, 4733, 4734 and 3751; that the lands proposed to be irrigated by the use of said waters are described as follows, to-wit:

T. 12 S., R. 20 E.B.M.

Sec. 1	All	640	Acres.	4	All	633.70	"
2	"	640.50	"	5	"	636.94	"
3	Lot 1	40.20	"	6	"	633.94	"
	2	40.10	"	7	"	632.70	"
	S $\frac{1}{2}$ NE $\frac{1}{4}$	80	"	8	"	640	"
	Lot 3	40	"	9	"	640	"
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	"	10	"	640	"
12	E $\frac{1}{2}$	320	"	11	"	640	"
13	E $\frac{1}{2}$	320	"	Sec. 12	All	640	Acres.
14	NE $\frac{1}{4}$	160	"	13	"	640	"
24	E $\frac{1}{2}$	320	"	14	"	640	"
	E $\frac{1}{2}$ NW $\frac{1}{4}$	80	"	15	"	640	"
				16	"	640	"
				17	"	640	"
				18	"	633.86	"
				19	"	634	"
				20	"	640	"
				21	"	640	"
				22	"	640	"

T. 12 S., R. 21 E.B.M.

Sec. 1	Lot 1	40	"
	2	39.82	"
	S $\frac{1}{2}$ NE $\frac{1}{4}$	80	"
	Lot 3	39.65	"
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	"
	E $\frac{1}{2}$ SW $\frac{1}{4}$	80	"
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	"
	SE $\frac{1}{4}$	160	"
Sec. 2	SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	"
3	W $\frac{1}{2}$ SW $\frac{1}{4}$	80	"
3	SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	"
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	"

23	"	640.	"	T. 13 S., R. 21 E.B.M.		
24	"	640	"	Sec.-1	All	644.10 "
25	"	640	"	2	"	647.12 "
26	"	640	"	3	"	644.12 "
27	"	640	"	4	Lot 1	39.68 "
28	"	640	"		2	39.72 "
29	NE $\frac{1}{4}$ NE $\frac{1}{4}$	80	"		S $\frac{1}{2}$ NE $\frac{1}{4}$	80 "
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	80	"		E $\frac{1}{2}$ SE $\frac{1}{4}$	80 "
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	"	Sec.10	N $\frac{1}{2}$	320 "
	E $\frac{1}{2}$ SE $\frac{1}{4}$	80	"		E $\frac{1}{2}$ SW $\frac{1}{4}$	80 "
30	NE $\frac{1}{4}$	160	"		SE $\frac{1}{4}$	160 "
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	"	11	All	640 "
	N $\frac{1}{2}$ SE $\frac{1}{4}$	80	"	12	"	640 "
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	"	13	"	640 "
32	E $\frac{1}{2}$ NE $\frac{1}{4}$	80	"	14	"	640 "
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	40	"	15	NE $\frac{1}{4}$	160 "
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	"		NE $\frac{1}{4}$ SE $\frac{1}{4}$	40 "
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	"	23	NE $\frac{1}{4}$	160 "
33	N $\frac{1}{2}$	320	"		NE $\frac{1}{4}$ NW $\frac{1}{4}$	40 "
	SE $\frac{1}{4}$	160	"		NE $\frac{1}{4}$ SE $\frac{1}{4}$	40 "
	E $\frac{1}{2}$ SW $\frac{1}{4}$	80	"	24	All	640 "
34	All	640	"	25	NE $\frac{1}{4}$	160 "
35	All	640	"		E $\frac{1}{2}$ NW $\frac{1}{4}$	80 "
36	All	640	"		NW $\frac{1}{4}$ SE $\frac{1}{4}$	40 "

T. 12 S., R. 22 E.B.M.

Sec. 4	All	639.10	Acres.
5	"	637.93	"
6	"	640.64	"
7	"	647.44	"
8	N $\frac{1}{2}$	320	"
	N $\frac{1}{2}$ SW $\frac{1}{4}$	80	"
9	N $\frac{1}{2}$ NE $\frac{1}{4}$	80	"
16	All	640	"
18	"	647.51	"
19	N $\frac{1}{2}$ NE $\frac{1}{4}$	80	"
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	"
	Lot 1	41.76	"
20	NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	"
28	NW $\frac{1}{4}$	160	"
	S $\frac{1}{2}$	320	"
29	All	640	"
31	"	650.80	"
32	"	640	"
33	"	640	"
34	"	640	"
35	S $\frac{1}{2}$	320	"
36	All	640	"

T. 13 S., R. 22 E.B.M.

Sec. 1	SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	"
	N $\frac{1}{2}$ SW $\frac{1}{4}$	80	"
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	"
2	Lot 2	40.86	"
	S $\frac{1}{2}$ NE $\frac{1}{4}$	80	"
	Lot 3	40.72	"
	4	40.58	"
	S $\frac{1}{2}$ NW $\frac{1}{4}$	80	"
	S $\frac{1}{2}$	320	"
3	All	645.16	"
4	"	652.67	"
5	Lot 1	44	"
	2	43.96	"
	S $\frac{1}{2}$ NE $\frac{1}{4}$	80	"
	SE $\frac{1}{4}$	160	"
6	Lot 4	45.24	"
	5	45.77	"
7	NW $\frac{1}{4}$ NE $\frac{1}{4}$	40	"
8	NE $\frac{1}{4}$	160	"
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	"
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	"
	N $\frac{1}{2}$ SE $\frac{1}{4}$	80	"
9	All	640	"
10	"	640	"

Sec. 11	N $\frac{1}{2}$ NE $\frac{1}{2}$	80	Acres.
	SW $\frac{1}{2}$ NE $\frac{1}{2}$	40	"
	NW $\frac{1}{2}$	160	"
	N $\frac{1}{2}$ SW $\frac{1}{2}$	80	"
12	NW $\frac{1}{2}$ NW $\frac{1}{2}$	40	"
14-	W $\frac{1}{2}$ NW $\frac{1}{2}$	80	"
	W $\frac{1}{2}$ SW $\frac{1}{2}$	80	"
15	E $\frac{1}{2}$ NE $\frac{1}{2}$	80	"
	NW $\frac{1}{2}$	160	"
	E $\frac{1}{2}$ SE $\frac{1}{2}$	80	"
16	All	640	"
17	NW $\frac{1}{2}$ NE $\frac{1}{2}$	40	"
	NE $\frac{1}{2}$ NW $\frac{1}{2}$	40	"
18	Lot 3	47.51	"
	4	47.29	"
	E $\frac{1}{2}$ SW $\frac{1}{2}$	80	"
19	E $\frac{1}{2}$ NW $\frac{1}{2}$	80	"
	Lot 1	47.08	"
	3	46.61	"
	4	46.37	"
	NE $\frac{1}{2}$ SW $\frac{1}{2}$	40	"
22	E $\frac{1}{2}$	320	"
23	W $\frac{1}{2}$ NW $\frac{1}{2}$	80	"
	W $\frac{1}{2}$ SW $\frac{1}{2}$	80	"
26	W $\frac{1}{2}$ NW $\frac{1}{2}$	80	"
	W $\frac{1}{2}$ SW $\frac{1}{2}$	80	"
	NE $\frac{1}{2}$ SW $\frac{1}{2}$	40	"
27	E $\frac{1}{2}$ NE $\frac{1}{2}$	80	"
	SE $\frac{1}{2}$	160	"
30	Lot 1	46.14	"
	4	45.54	"
31	Lot 1	45.34	"
	SE $\frac{1}{2}$ NW $\frac{1}{2}$	40	"
	NE $\frac{1}{2}$ SW $\frac{1}{2}$	40	"

Total 45,816.17 Acres.

Witness my hand this 18th day of March, A. D. 1915.

J. H. Smith,

State Engineer of the State of Idaho.

License issued for 100 second feet

Page 3104

WATER RIGHT NUMBER 45-2063

OWNER LAST NAME - HAYS FIRST NAME - S.H. ORIG OWNER - 0
OWNER LAST NAME - TWIN FALLS OAKLEY LAND & WATER CO. FIRST NAME - ORIG OWNER -
ADDRESS LINE 1 - ADDRESS LINE 2 -
ADDRESS LINE 3 - CITY - OAKLEY STATE - ID ZIP CODE - 83346
SOURCE - BIRCH CREEK TRIBUTARY OF - SINKS
STAGE - LICENSE STATUS - PRIORITY - 03-10-1909 COUNTY - CASSIA TOTAL DIV. RATE - 100.0000 -CFS
TOTAL DIV. VOLUME - .00 AFA TRFR/AMEND - WATER DIST. - 45C DLE/CAREY ACT - RIGHT BASIS -
DIVERSION POINT - NENW 11 14S 22E LOT REDIV - 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0
NWNW 11 14S 22E LOT REDIV - 272.0 430.0 2.5 0.0 0.0 0.0 0.0 0.0 0.0 0.0 2.9
FROM - TO - USE - IRRIGATION USE DIV. RATE - 100.0000 CFS USE DIV. VOLUME - .00 AFA
FROM - TO - USE - DOMESTIC USE DIV. RATE - .0000 CFS USE DIV. VOLUME - .00 AFA
USE - PLACE OF USE - TWN RNG SEC DATE - TOTAL ACRES 0
DECREE NAME -
REMARKS - P/D IN NW 1/4, SEC. 11, T14S, R22E.
P/U SAME AS RT. 45-2059.
NON IRRIG USE -
OTHER RIGHTS FOR SAME USE -
PROOF DUE - PERMIT/DENIED - PROTESTED - HEARING - OLD NO. - 4735
PROOF MADE - FLD EXAM - COND. OF APPROVAL -
DIVERSION MEANS -

VERIFIED 001

- DATA ENTRY -

Record

Present Owner: Twin Falls Cattle Land & Water Co.

[illegible]

October 29, 1923.

Re: Permits Nos. 4731-4732-4733-4734-4735.

Mr. C. A. Bauer, Manager,
Twin Falls Oakley Land & Water Co.,
Oakley, Idaho.

Dear Sir:-

Enclosed you will find water licenses issued under
the above numbered permits, together with receipt for fees paid.

We are also enclosing a copy of the order drawn with reference
to the fees covering these licenses and a receipt, which please
sign and return to this office for our files.

Very truly yours,
W. G. SWENDSEN,
Commissioner of Reclamation.

Encl.

By _____
Chief Clerk.

- A. - report Feb 11 with
- Permit - 4731

Re Permits 4731-2-3-4-5

Mr. C. A. Bower,
Manager, T. F. O. L. & W. Co.
Oakley, Idaho.

Dear Sir:-

Relative to the proofs of beneficial use of water made under the above numbered permits on October 10, 1916, would say that a re-examination was made July 15, 1921, by our engineer, Mr. Geo. Carter, and report filed. This report shows all, or parts, of 534 forty acre tracts under cultivation and irrigation. The statutory fees amount to \$534.00 for each permit, in view of the fact that each permit covers the entire list of lands. Upon receipt, therefore, of fees in the sum of \$2670.00, licenses will be issued under these permits.

Very truly yours,

W. G. SWANSON,

Commissioner of Reclamation.

By _____

4735

Re Permits 4731-2-3-4-5

Mr. C. A. Bauer,
Manager, T. F. G. L. & W. Co.
Oakley, Idaho.

Dear Sir:-

Relative to the proofs of beneficial use of water made under the above numbered permits on October 10, 1918, would say that a re-examination was made July 13, 1921, by our engineer, Mr. Geo. Carter, and report filed. This report shows all, or parts, of 634 forty acre tracts under cultivation and irrigation. The statutory fees amount to \$634.00 for each permit, in view of the fact that each permit covers the entire list of lands. Upon receipt, therefore, of fees in the sum of \$3170.00, licenses will be issued under these permits.

Very truly yours,

W. F. SHANNON,

Commissioner of Reclamation.

By _____

RECEIVED

OCT 25 1918

PERMIT No. 4735

Proof of Application of Water to ~~Diversion~~ ^{Beneficial Use} ENGINEER

DEPOSITION OF HOLDER

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

Ans. C. A. Bauer, age 34, Oakley, Idaho. Manager, Twin Falls Oakley Land & Water Company, Oakley, 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. TWIN FALLS OAKLEY LAND & WATER COMPANY, 412 Olive St., St. Louis, Mo., Agent, C. A. Bauer, Manager, Twin Falls Oakley Land & Water Co.

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

Ans. No. 4735, June 7, 1909, March 10, 1909.

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

Ans. Birch Creek. The point of diversion is in the NW $\frac{1}{4}$ Sec. 24, Tp. 14 S. R. 22 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. The diversion work consists of a concrete dam 5 $\frac{1}{2}$ feet high and 65 feet long, and a canal 7 miles long, having a bottom width of 5 feet, slopes 2:1, depth of water 3.3 feet, grade 5.28 feet per mile, with a capacity of 100 Sec. Ft.

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 purposes. See list of lands attached. Cultivated lands, reclaimed from sagebrush, now cleared, fenced and brought to a high state of cultivation.

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

Ans. _____

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

Ans. 1 $\frac{1}{2}$ acre feet per acre.

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

Ans. By deed dated July 14, 1909.

4735

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

Ans. All the available waters of Goose Creek, its tributaries, of Birch Creek, ~~Big Cottonwood~~, Big Cottonwood and Little Cottonwood Creeks have been imported in the Oakley reservoir since 1913 and all of such water has been used and delivered to the settlers' head gates as follows: 1913-21,607, acre feet, 1914-33,422, acre feet, 1915-22,668, acre feet, 1916-29,402, acre feet, 1917-33,725, acre feet, 1918-30,000 Acre feet.

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. All decreed water of Goose Creek and its tributaries in the lower Goose Creek valley have been acquired by purchase and the waters of Basin Creek, Big and Little Cottonwood Creeks together with the water claimed under this permit No. 4735, have been delivered to the entrymen under the Twin Falls Oakley Land & Water Co's, irrigation project.

(Sign) W. J. Bauer

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 Carleton County of

Cassia State of Idaho, on this 10th day of October A. D. 1922

Commissioner Expire
April 17, 1922

D. P. Horvells
Notary Public
Residing at Oakley Idaho

AFRIDAVIDIT.

State of Idaho.)
) S.S.
County of Cassia.)

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 Oakley, Cassia County, State of Idaho, on this 10th day of October A.D. 1918. That notice of this hearing was given for October 1st, 1918, and on account of the loss in transmission or non-arrival of the blanks for making proof it was adjourned from day to day until the 10th day October, 1918. "

1915

B. P. Kewley
Notary Public.

residing at Oakley, Idaho.

My commission expires April 17, 1922.

LIST OF LANDS WHICH HAVE BEEN
WATERED UNDER THE SYSTEM OF THE TWIN
FALLS OAKLEY LAND AND WATER COMPANY.
TO ACCOMPANY PROOF OF BENEFICIAL USE OF WATER UNDER
PERMITS NOS. 4731, 4732, 4733, 4734 & 4735.

Township 12 South, Range 21 East, B. M.

Section 5	NW $\frac{1}{4}$	158.82
	SW $\frac{1}{4}$	160.00
Section 6	Lot 1	39.62
	Lot 2	39.75
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	40.00
	SW $\frac{1}{4}$	156.78
Section 7	Lot 2	38.12
	Lot 3	38.23
	Lot 4	38.34
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	80.00
	SE $\frac{1}{4}$	160.00
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	80.00
Section 8	All	640.00
Section 9	NW $\frac{1}{4}$	320.00
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	80.00
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	40.00
Section 10	SE $\frac{1}{4}$ SE $\frac{1}{4}$	40.00
Section 11	SW $\frac{1}{4}$ SW $\frac{1}{4}$	40.00
Section 12	SW $\frac{1}{4}$ NW $\frac{1}{4}$	80.00
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	40.00
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	80.00
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	40.00
Section 13	NE $\frac{1}{4}$	160.00
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	80.00
	SW $\frac{1}{4}$	160.00
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	40.00
Section 14	SW $\frac{1}{4}$	160.00
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	80.00
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	40.00
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	80.00
	NW $\frac{1}{4}$ SW $\frac{1}{4}$	40.00
Section 15	SW $\frac{1}{4}$	160.00
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	80.00
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	80.00
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	40.00
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	80.00
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	40.00
Section 17	NW $\frac{1}{4}$	320.00
Section 18	NW $\frac{1}{4}$	313.86
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	80.00

4735.

Sheet No. 2.

Section 19	$\frac{1}{2}$ NE $\frac{1}{4}$	80.00
Section 20	$\frac{1}{2}$ NE $\frac{1}{4}$	80.00
	$\frac{1}{2}$ SE $\frac{1}{4}$	80.00
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	40.00
Section 21	$\frac{1}{2}$	320.00
	$\frac{1}{2}$ SE $\frac{1}{4}$	80.00
Section 22	NW $\frac{1}{4}$	160.00
	$\frac{1}{2}$ SW $\frac{1}{4}$	80.00
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	40.00
	SE $\frac{1}{4}$	160.00
Section 23	$\frac{1}{2}$	320.00
	SW $\frac{1}{4}$	160.00
	$\frac{1}{2}$ SE $\frac{1}{4}$	80.00
Section 24	NE $\frac{1}{4}$	160.00
	$\frac{1}{2}$ NW $\frac{1}{4}$	80.00
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	40.00
	$\frac{1}{2}$ SW $\frac{1}{4}$	80.00
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	80.00
Section 25	NE $\frac{1}{4}$	160.00
	$\frac{1}{2}$ NW $\frac{1}{4}$	80.00
	$\frac{1}{2}$ SW $\frac{1}{4}$	80.00
Section 26	$\frac{1}{2}$ NE $\frac{1}{4}$	80.00
	NW $\frac{1}{4}$	160.00
	$\frac{1}{2}$ SW $\frac{1}{4}$	80.00
Section 27	$\frac{1}{2}$	320.00
	NW $\frac{1}{4}$	160.00
	NW $\frac{1}{4}$ SW $\frac{1}{4}$	40.00
Section 28	$\frac{1}{2}$ NE $\frac{1}{4}$	80.00
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	40.00
	$\frac{1}{2}$ NW $\frac{1}{4}$	80.00
	$\frac{1}{2}$ SE $\frac{1}{4}$	80.00
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	40.00
Section 33	NW $\frac{1}{4}$ NE $\frac{1}{4}$	40.00
Section 35	NE $\frac{1}{4}$	160.00
	$\frac{1}{2}$ NW $\frac{1}{4}$	80.00
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	40.00
	$\frac{1}{2}$ SW $\frac{1}{4}$	80.00
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	40.00

Township 12 South, Range 22 East, E. M.

Section 4	$\frac{1}{2}$	319.10
	$\frac{1}{2}$ SE $\frac{1}{4}$	80.00
	SW $\frac{1}{4}$	160.00

4735

Sheet No. 3.

Section 5	Lot 1	39.50
	Lot 2	39.32
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	40.00
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	40.00
	SE $\frac{1}{4}$	160.00
Section 7	SW $\frac{1}{4}$	163.85
	S $\frac{1}{2}$ SE $\frac{1}{4}$	80.00
Section 8	NE $\frac{1}{4}$	160.00
	E $\frac{1}{2}$ NW $\frac{1}{4}$	80.00
	NW $\frac{1}{4}$ NW $\frac{1}{4}$	40.00
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	40.00
Section 15	S $\frac{1}{2}$	320.00
Section 18	Lot 4	41.79
	NE $\frac{1}{4}$	160.00
	W $\frac{1}{2}$ SE $\frac{1}{4}$	80.00
Section 28	E $\frac{1}{2}$ SE $\frac{1}{4}$	80.00
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	40.00
	W $\frac{1}{2}$ SW $\frac{1}{4}$	80.00
Section 29	W $\frac{1}{2}$ SE $\frac{1}{4}$	80.00
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	40.00
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	40.00
	W $\frac{1}{2}$ SW $\frac{1}{4}$	80.00
Section 30	E $\frac{1}{2}$ SE $\frac{1}{4}$	80.00
Section 31	W $\frac{1}{2}$ SW $\frac{1}{4}$	85.18
	NE $\frac{1}{4}$	160.00
	E $\frac{1}{2}$ NE $\frac{1}{4}$	80.00
Section 32	E $\frac{1}{2}$ SE $\frac{1}{4}$	80.00
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	40.00
	W $\frac{1}{2}$ SE $\frac{1}{4}$	80.00
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	40.00
	SW $\frac{1}{4}$	160.00
	S $\frac{1}{2}$ NW $\frac{1}{4}$	80.00
	NW $\frac{1}{4}$ NW $\frac{1}{4}$	40.00
Section 33	E $\frac{1}{2}$	320.00
Section 34	NW $\frac{1}{4}$	160.00
	E $\frac{1}{2}$ NE $\frac{1}{4}$	80.00
	E $\frac{1}{2}$ SW $\frac{1}{4}$	80.00
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	40.00
Section 35	E $\frac{1}{2}$ NE $\frac{1}{4}$	80.00
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	40.00

Sheet No. 4.

Township 13 South, Range 21 East, B. M.

Section 1	Lot 2	40.82
	SE $\frac{1}{4}$	160.00
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	40.00
	NW $\frac{1}{4}$ SW $\frac{1}{4}$	40.00
Section 11	SW $\frac{1}{4}$ SE $\frac{1}{4}$	40.00
Section 13	SE $\frac{1}{4}$ SW $\frac{1}{4}$	40.00
Section 14	W $\frac{1}{2}$ NE $\frac{1}{4}$	80.00
Section 23	N $\frac{1}{2}$ NE $\frac{1}{4}$	80.00
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	40.00
Section 24	NW $\frac{1}{4}$	160.00
	W $\frac{1}{2}$ NE $\frac{1}{4}$	80.00
	N $\frac{1}{2}$ SW $\frac{1}{4}$	80.00
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	40.00

Township 13 South, Range 22 East, B. M.

Section 1	W $\frac{1}{2}$ SW $\frac{1}{4}$	80.00
Section 2	E $\frac{1}{2}$ SE $\frac{1}{4}$	80.00
Section 3	N $\frac{1}{2}$ NW $\frac{1}{4}$	83.26
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	40.00
Section 4	N $\frac{1}{2}$	320.00
	N $\frac{1}{2}$ SW $\frac{1}{4}$	80.00
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	40.00
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	40.00
Section 5	N $\frac{1}{2}$	335.76
	SW $\frac{1}{4}$	160.00
	N $\frac{1}{2}$ SE $\frac{1}{4}$	80.00
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	40.00
Section 6	All	660.98
Section 7	All	669.30
Section 8	N $\frac{1}{2}$	320.00
	N $\frac{1}{2}$ SE $\frac{1}{4}$	80.00
	N $\frac{1}{2}$ SW $\frac{1}{4}$	80.00
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	40.00
Section 9	W $\frac{1}{2}$	320.00
	S $\frac{1}{2}$ NE $\frac{1}{4}$	80.00
	W $\frac{1}{2}$ SE $\frac{1}{4}$	80.00
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	40.00

Sheet No. 5.

Section 10	SW $\frac{1}{4}$ NW $\frac{1}{4}$	80.00
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	80.00
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	40.00
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	40.00
Section 11	W $\frac{1}{2}$ NW $\frac{1}{2}$	80.00
Section 14	SW $\frac{1}{4}$ SW $\frac{1}{4}$	40.00
Section 15	SW $\frac{1}{4}$	160.00
	W $\frac{1}{2}$ SE $\frac{1}{2}$	80.00
	W $\frac{1}{2}$ NE $\frac{1}{2}$	80.00
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	80.00
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	40.00
Section 16	NE $\frac{1}{4}$ SE $\frac{1}{4}$	40.00
Section 17	N $\frac{1}{2}$	320.00
	NW $\frac{1}{4}$	160.00
	W $\frac{1}{2}$ NE $\frac{1}{2}$	80.00
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	40.00
Section 18	N $\frac{1}{2}$	320.00
	NE $\frac{1}{4}$	160.00
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	40.00
Section 19	N $\frac{1}{2}$	320.00
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	40.00
Section 20	All	640.00
Section 21	All	640.00
Section 22	W $\frac{1}{2}$	320.00
	NE $\frac{1}{4}$	160.00
	N $\frac{1}{2}$ SE $\frac{1}{2}$	80.00
Section 23	NW $\frac{1}{4}$ NW $\frac{1}{4}$	40.00
Section 27	W $\frac{1}{2}$	320.00
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	40.00
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	40.00
Section 28	All	640.00
Section 29	All	640.00
Section 30	N $\frac{1}{2}$	320.00
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	80.00
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	80.00
	Lot 2	45.94
	Lot 3	45.74
Section 31	N $\frac{1}{2}$	320.00
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	40.00
Section 32	All	640.00

Sheet No. 6.

Section 33	All	640.00
Section 34	W $\frac{1}{2}$	320.00
	W $\frac{1}{2}$ NE $\frac{1}{2}$	80.00
	NE $\frac{1}{2}$ NE $\frac{1}{2}$	40.00
	NW $\frac{1}{2}$ SE $\frac{1}{2}$	40.00

Township 14 South, Range 22 East, S. M.

Section 4	W $\frac{1}{2}$	320.00
	NE $\frac{1}{2}$	160.00
	NW $\frac{1}{2}$ SE $\frac{1}{2}$	40.00
Section 5	All	640.00
Section 6	E $\frac{1}{2}$ NE $\frac{1}{2}$	80.00
	E $\frac{1}{2}$ SE $\frac{1}{2}$	80.00
Section 7	E $\frac{1}{2}$ NE $\frac{1}{2}$	80.00
	E $\frac{1}{2}$ SE $\frac{1}{2}$	80.00
Section 8	W $\frac{1}{2}$	320.00
	NE $\frac{1}{2}$	160.00
	W $\frac{1}{2}$ SE $\frac{1}{2}$	80.00
Section 17	NW $\frac{1}{2}$	160.00
	NE $\frac{1}{2}$ SW $\frac{1}{2}$	80.00
	SW $\frac{1}{2}$ SW $\frac{1}{2}$	40.00
	NW $\frac{1}{2}$ NE $\frac{1}{2}$	40.00

* * * * *

Permit No. 4735

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. L. R. Burkhalter, Age 32, Watermaster, Oakley, Idaho.

Ques. 2. Are you acquainted with Idaho Falls Electric Land & Water Co., the

holder of Permit No. 4735? How long have you known him and where does he reside?

Ans. Yes, for five years, Oakley, Idaho.

Ques. 3. Have you read or heard read said Permit No. 4735, 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.

Birch Creek. Diverted in NW $\frac{1}{4}$ Sec. 24, Tp. 14 S., R. 22 E. B.M. Diversion
 Ans. works consist of a concrete dam 5 $\frac{1}{2}$ ft. high and 65 ft. long, a
canal 7 miles long having a bottom width of 5 ft., slopes 2 to 1, depth
of water 3.3 ft., grade 5.28 ft. per mile and a capacity of 100 Sec. Ft.
Water is conveyed through the above works into the Oakley Reservoir and
thence through the outlet tunnel of the reservoir which is 8 by 10 ft.
into two main canals, one with a bottom width of 24 ft., depth of water
4 ft. and grade of 2.376 ft. per mile, slopes 2 to 1 and a capacity of*

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 100 Sec. Ft. Have seen it carry 100 Sec. Ft.

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 & Domestic Purposes. See list attached for lands
upon which water has been used. Cultivated lands reclaimed from sage
brush, cleared, fenced and brought to high state of cultivation.

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. Semi-arid. 1 $\frac{1}{2}$ Acre Ft. per acre.

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

Ans. No.

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 from Birch Creek together with all available waters from Goose Creek and its tributaries, Cottonwood Creek and Little Cottonwood Creek have been impounded in the Oakley Reservoir and thence delivered through the Oakley Canal Company system to lands under the Twin Falls Oakley Land & Water Company project during the years 1913 to 1918 Inc.

(Sign)

L. R. Burkhalter

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 Oakley, County of Idaho, State of Idaho, on this 10th day of October, A. D. 1918

My commission expires

April 17, 1922

P. L. Horvells

Notary Public.

Residing at Oakley Idaho

* Question 4 continued.

370 Sec. Ft. and the other canal with a bottom width of 12 ft., depth of water 3 ft., slopes 2 to 1, grade 5.28 ft. per mile and capacity of 187 Sec. Ft.

AFFIDAVIT.

State of Idaho.)
) S.S.
County of Cassia.)

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 Oakley, Cassia County, State of Idaho, on this 10th day of October A.D. 1918. That notice of this hearing was given for October 1st, 1918, and on account of the loss in transmission or non-arrival of the blanks for making proof it was adjourned from day to day until the 10th day October, 1918. "

B. P. Harrells
Notary Public.

residing at Oakley, Idaho.

RECEIVED
My commission expires April 17, 1922.

OCT 17 1918

4735

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. Water from Birch Creek together with all available waters from Goose Creek and its tributaries, Cottonwood Creek and Little Cottonwood Creek have been impounded in the Oakley Reservoir and thence delivered through the Oakley Canal Company system to lands under the Twin Falls Oakley Land & Water Company project during the years 1913 to 1918 Inc.

(Sign)

L. R. Burkhalter

AFFIDAVIT.

State of Idaho.)
County of Cassia.) S.S.

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 Oakley, Cassia County, State of Idaho, on this 10th day of October A.D. 1918. That notice of this hearing was given for October 1st, 1918, and on account of the loss in transmission or non-arrival of the blanks for making proof it was adjourned from day to day until the 10th day October, 1918. "

B. P. Harvells
Notary public.

residing at Oakley, Idaho.

RECEIVED

OCT 26 1918

OFFICE OF STATE ENGINEER

Commission expires April 17, 1922.

4735

4735

Permit No. 4735 ✓

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. C. A. McClelland, Age 36, Civil Engineer, Oakley, Idaho.Ques. 2. Are you acquainted with Twin Falls Oakley Land & Water Co., the holder of Permit No. 4735? How long have you known him and where does he reside?Ans. Have known the Twin Falls Oakley Land & Water Company for nine years. Place of business is Oakley, Idaho.Ques. 3. Have you read or heard read said Permit No. 4735, 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. Birch Creek. Diverted in SW $\frac{1}{4}$ sec. 24, Tp. 14 S., R. 22 E. B. M. D. 1. Works consist of a concrete dam 5 $\frac{1}{2}$ ft. high and 65 ft. long, a canal 7 miles long having a bottom width of 5 ft., slopes 2 to 1, depth of water 3.3 ft., grade 5.28 ft. per mile and a capacity of 100 Sec. Ft. water is conveyed through the above works into the Oakley Reservoir and thence through the outlet tunnel of the reservoir which is 8 by 10 ft. into two main canals, one with a bottom width of 24 ft., depth of water 4 ft. and grade of 2.376 ft. per mile, slopes 2 to 1 and a capacity of *

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 100 Sec Ft. Have seen it carry 100 Sec. Ft.

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 purposes. See list attached for lands upon which water has been used. Cultivated lands reclaimed from sage brush, cleared, fenced and brought to high state of cultivation.

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. Semi-arid. 1 $\frac{1}{2}$ acre feet per acre.

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

Ans. No.

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 from Birch Creek together with all available waters from Goose Creek and its tributaries, Cottonwood Creek and Little Cottonwood Creek have been impounded in the Oakley Reservoir and thence delivered through the Oakley Canal Company system to lands under the Twin Falls Oakley Land & water company project during the years 1913, to 1918 inc.

(Sign)

C. A. McDelland

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 Oakley, County of Parma, State of Idaho,

on this 10th day of October A. D. 1918

B. P. Worrells

Notary Public.

My commission expires

April 17, 1922

Residing at Oakley Idaho

* Question 4 continued.

370 Sec. Ft. and the other canal with a bottom width of 12 ft., depth of water 3 ft., slopes 2 to 1, grade 5.28 ft. per mile and capacity of 187 Sec. Ft.

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. Water from Birch Creek together with all available waters from Goose Creek and its tributaries, Cottonwood Creek and Little Cottonwood Creek have been impounded in the Oakley Reservoir and thence delivered through the Oakley Canal Company system to lands under the Twin Falls Oakley Land & Water company project during the years 1913, to 1918 inc.

(Sign)

C.A. McEllland

AFFIDAVIT.

State of Idaho.)
) S.S.
County of Cassia.)

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 Oakley, Cassia County, State of Idaho, on this 10th day of October A.D. 1918. That notice of this hearing was given for October 1st, 1918, and on account of the loss in transmission or non-arrival of the blanks for making proof it was adjourned from day to day until the 10th day October, 1918. "

B.P. Howells
Notary public.

residing at Oakley, Idaho.

My commission expires April 17, 1922.

4735

4735

4735
NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 10 a. m. on the 1st day of October, 1918,
at Oakley, County of Cassia, State of Idaho,
before B. P. Howells, Notary Public, proof will be submitted
of the application to beneficial use of 987 cubic feet per second of the
waters of Goose Creek, 600, Little Cottonwood Cr. 70, Basin Cr. 147,
Cottonwood Cr. 70, Birch Cr. 100 in accordance with the terms and conditions of
4731, 4732, 4733, 4734 &
Permit No. 4735 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
Twin Falls Oakley Land & Water Company, Oakley, Idaho
2. The use to which said water has been applied is for irrigation and domestic
purposes
3. The amount applied to beneficial use is 987 second feet
4. The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) Carey Act Segregation List No. 25 and Supplemental Carey Act
Segregation List No. 23, as listed in certificates of completion
issued by J. H. Smith, State Engineer on March 16th, 1915, and covering
these permits Nos. 4731, 4732, 4733, 4734 and 4735.
5. The name of the canal or ditch or other works by which said water is conducted to such place of use
is Irrigation system of the Twin Falls Oakley Land & Water Co. and
Oakley Canal Company
6. The right to take water from such works is based upon Permit No. 4731, 4732, 4733, 4734
and 4735
7. The source of supply from which such water is diverted is Goose Creek, Little Cottonwood
Creek, Basin Creek, Cottonwood Creek and Birch Creek.
8. The date of the priority which said user is prepared to establish is June 7th, 1909.

4735

FRED A. WILKIE

State Engineer.

4735
NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 10 a. m. on the 1st day of October, 1918,
at Oakley, County of Cassia, State of Idaho,
before B. P. Howells, Notary Public, proof will be submitted
of the application to beneficial use of 987 cubic feet per second of the
waters of Goose Creek, 600, Little Cottonwood Cr. 70, Basin Cr. 147,
Cottonwood Cr. 70, Birch Cr. 100 in accordance with the terms and conditions of
4731, 4732, 4733, 4734 &
Permit No. 4735 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
Twin Falls Oakley Land & Water Company, Oakley, Idaho
2. The use to which said water has been applied is for irrigation and domestic
purposes
3. The amount applied to beneficial use is 987 second feet
4. The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) Carey Act Segregation List No. 23 and Supplemental Carey Act
Segregation List No. 23, as listed in certificates of completion
issued by J. H. Smith, State Engineer on March 18th, 1915, and covering
these permits Nos. 4731, 4732, 4733, 4734 and 4735.
5. The name of the canal or ditch or other works by which said water is conducted to such place of use
is Irrigation system of the Twin Falls Oakley Land & Water Co. and
Oakley Canal Company
6. The right to take water from such works is based upon Permit No. 4731, 4732, 4733, 4734
and 4735
7. The source of supply from which such water is diverted is Goose Creek, Little Cottonwood
Creek, Basin Creek, Cottonwood Creek and Birch Creek.
8. The date of the priority which said user is prepared to establish is June 7th, 1909.

FRED A. WILKIE State Engineer.

4735

May 12, 1915.

Re Twin Falls Oakley proofs.

Messrs. Longley & Walters,
Attorneys at law,
Twin Falls, Idaho.

Gentlemen:

Replying to your letter of the 11th would say that the Twin Falls Oakley Land & Water Company made proof of completion of works for the diversion of only seventy second feet of Little Cottonwood creek and one hundred forty seven second feet of Basin creek. The certificates have been issued for the above amounts. The original permit on Little Cottonwood was for three hundred and on Basin creek two hundred second feet.

Very truly yours,

J. H. SMITH,

State Engineer.

By _____

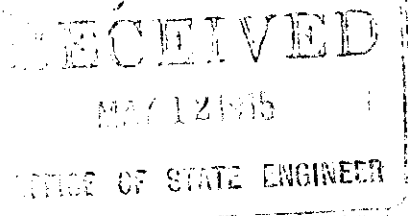
4735

C. O. LONGLEY
E. A. WALTERS
W. E. GOLDEN

Longley & Walters
ATTORNEYS AT LAW
ROOMS 1-7 FIRST NATIONAL BANK BUILDING
TWIN FALLS, IDAHO

May Eleventh
1915

State Engineer,
Boise,
Idaho.



My dear Sir:-

Will you kindly inform us if the Twin Falls-Oakley Land & Water Company have made proof of completion of diversion works for three hundred second feet of water from Little Cottonwood and two hundred second feet of water from Basin? We understand this proof was made before your office on or about June 8th, 1914, and trust that you may inform us whether or not this information is correct. We also trust that it may be convenient for you to inform us as to the above matter by return mail, for which courtesy I assure you we will be much obliged.

Very truly yours,

Longley & Walters,

By

A handwritten signature in cursive script, appearing to read "E. A. Walters", written over a horizontal line.

RAW-A.

4735

70 ~ 147 # Lull-Otterwood
" " Basin creek

REPORT OF ENGINEER

- Per. 4731
1. State name of applicant and number of permit: Twin Falls Oakley Land & Water Co. #4735
 2. State source of water supply: Birah Cr.
 3. Location of point of diversion: NW 1/4 Sec. 24, T. 14 S. R. 22 E.
 4. State whether or not the works of diversion are *fully* completed and in accordance with terms of permit:
Fully completed but do not comply in all respects with terms of Permit.
 5. Describe works as they exist, giving dimensions of same as follows:
 - (a) Width of conduit at bottom: 5'
 - (b) Width at water line: 18.2
 - (c) Depth of water: 3.3
 - (d) Grade per mile: 5.28
 - (e) Capacity of ditch: 100 second feet.
 6. State whether or not water has been turned into works of diversion and if so, to what extent:
Water has been turned through canal to extent of 70 second ft. in April 1914.
 7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: See land list filed with deposition of holder.
 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: See map filed with engineer's report on Permit #4731.
Works of diversion consist of concrete dam 5.5 high, 65' long, 18" width on top. The water from Birch Cr. is diverted to the reservoir located on Goose Cr., where it is stored and rediverted to the land shown under land list. The canal is known as the Birch Cr. Feeder.

J. M. Burkett

STATE OF IDAHO,

County of _____

} ss.

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

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

My Commission Expires _____

Notary Public.

4735

Affidavit of Publication

STATE OF IDAHO,

County of Cassia. } ss

I, Fred Jenkins, do solemnly swear that I am the publisher of Oakley Herald, a weekly newspaper of, general circulation, published once each week at Oakley, Idaho, that the notice attached hereto and which is a part of this affidavit, and a part of the proof of publication thereof, was published in said newspaper for six consecutive weeks, the first publication having been made on the 1st day of May, 1914, and the last publication having been made on the 22nd day of May, 1914; that the said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the notice was published in the regular issue and not in a supplement.

Subscribed and sworn to before me this 9th day of June, 1914.

My Commission Expires February 24, 1915.

I, W. A. Wilson, Register, do hereby certify that a notice, a printed copy of which is hereunto annexed, was by me posted in a conspicuous place in my office for a period of thirty days, I having posted said notice on the 9th day of June, 1914.

4735

Affidavit of Publication

STATE OF IDAHO, }
County of Cassia. } ss

I, Fred Jenkins
Oakley Herald, do solemnly swear that I am
the publisher of Oakley Herald, a weekly newspaper of, general circulation, pub-
lished once each week at Oakley, Idaho, that the notice attached hereto and which
is a part of this affidavit, and a part of the proof of publication thereof, was published in said
newspaper for six consecutive weeks, the first publication having been made on the 1st
day of May, 1914, and the last publication having been made on the 22nd
day of May, 1914; that the said notice was published in the regular and entire
issue of every number of the paper during the period and time of publication, and that the notice
was published in the newspaper and not in a supplement.

NOTICE OF PUBLICATION.

Notice is hereby given that at 1 P.M.,
on the 8th day of June, 1914, at Milner,
County of Twin Falls, State of Idaho, be-
fore Ghas. A. Bauer, Notary Public, proof
will be submitted of the completion of
works for the diversion of
1000 cubic feet per second of the waters
of Goose Creek;
300 cubic feet per second of the waters
of Little Cottonwood Creek;
200 cubic feet per second of the waters
of Basin Creek;
300 cubic feet per second of the waters
of Cottonwood Creek;
300 cubic feet per second of the waters
of Birch Creek
in accordance with the terms and condi-
tions of those certain permits heretofore
issued by the State Engineer of the State
of Idaho.

1. The name of the person or corpora-
tion holding said permits is Twin Falls
Oakley Land and Water Co.

2. The postoffice address of such per-
son or principal place of business of such
corporation is Milner, County of Twin
Falls, in State of Idaho.

3. The numbers of such permits are
4731, 4732, 4733, 4734 and 4735, and the
date set for the completion of such work
is June 7th, 1914.

4. Said water to be used for irrigation
and domestic purposes.

5. Said works of diversion will be fully
completed on the date set for such com-
pletion, 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 applica-
tion for such permits, is 2100 cubic feet
per second.

6. The amount of lands for which said
water is available is 45,816.17 acres, par-
ticularly described as follows:

Twp. 12 South, of Range 20 E. B. M.

Sec. 1--All	640	acres
2--All	640.50	"
3--Lot 1	40.50	"
2	40.10	"
S 1/2 NE 1/4	80	"
Lot 3	40	"
NE 1/4 SE 1/4	40	"
12--E 1/2	320	"
13--E 1/2	320	"
14--NE 1/4	160	"
24--E 1/2	320	"
E 1/2 NW 1/4	80	"

Twp. 12 South, of Range 21 E. B. M.

Sec. 1--Lot 1	40	acres
2	39.82	"
S 1/2 NE 1/4	80	"
Lot 3	39.65	"
SE 1/4 NW 1/4	40	"
E 1/2 SW 1/4	80	"
SW 1/4 SW 1/4	40	"
SE 1/4	160	"
Sec. 2--SE 1/4 SE 1/4	40	"
3--W 1/2 SW 1/4	80	"
3--SE 1/4 SW 1/4	40	"
SW 1/4 SE 1/4	40	"
4--All	633.70	"
5--All	636.94	"
6--All	633.94	"
7--All	632.70	"
8--All	640	"
9--All	640	"
10--All	640	"
11--All	640	"
12--All	640	"
13--All	640	"
14--All	640	"
15--All	640	"
16--All	640	"
17--All	640	"
18--All	633.86	"
19--All	634	"
20--All	640	"
21--All	640	"
22--All	640	"
23--All	640	"
24--All	640	"
25--All	640	"
26--All	640	"
27--All	640	"
28--All	640	"
29--E 1/2 NE 1/4	80	"
N 1/2 NW 1/4	80	"
SW 1/4 NW 1/4	40	"
E 1/2 SE 1/4	80	"
30--NE 1/4	160	"
NE 1/4 NW 1/4	40	"
N 1/2 SE 1/4	80	"
SE 1/4 SE 1/4	40	"
32--E 1/2 NE 1/4	80	"
SW 1/4 NE 1/4	40	"
SE 1/4 NW 1/4	40	"
NW 1/4 SE 1/4	40	"
33--N 1/2	320	"
SE 1/4	160	"
E 1/2 SW 1/4	80	"
34--All	640	"
35--All	640	"
" All	"	"

3--All	645.16	"
4--All	652.67	"
5--Lot 1	44	"
2	43.96	"
S 1/2 NE 1/4	80	"
SE 1/4	160	"
6--Lot 4	45.24	"
5	45.77	"
7--NW 1/4 NE 1/4	40	"
8--NE 1/4	160	"
SE 1/4 NW 1/4	40	"
NE 1/4 SW 1/4	40	"
N 1/2 SE 1/4	80	"
9--All	640	"
10--All	640	"
11--N 1/2 NE 1/4	80	"
SW 1/4 NE 1/4	40	"
NW 1/4	160	"
N 1/2 SW 1/4	80	"
12--NW 1/4 NW 1/4	40	"
14--W 1/2 NW 1/4	80	"
W 1/2 SW 1/4	80	"
15--E 1/2 NE 1/4	80	"
NW 1/4	160	"
E 1/2 SE 1/4	80	"
16--All	640	"
17--NW 1/4 NE 1/4	40	"
NE 1/4 NW 1/4	40	"
18--Lot 3	47.51	"
4	47.29	"
E 1/2 SW 1/4	80	"
19--E 1/2 NW 1/4	80	"
Lot 1	47.08	"
3	46.61	"
4	46.37	"
NE 1/4 SW 1/4	40	"
22--E 1/2	320	"
23--W 1/2 NW 1/4	80	"
W 1/2 SW 1/4	80	"
26--W 1/2 NW 1/4	80	"
W 1/2 SW 1/4	80	"
NE 1/4 SW 1/4	40	"
27--E 1/2 NE 1/4	80	"
SE 1/4	160	"
30--Lot 1	46.14	"
4	45.54	"
31--Lot 1	45.34	"
SE 1/4 NW 1/4	40	"
NE 1/4 SW 1/4	40	"

Total 45,816.17 acres
F. P. KING,
State Engineer.

Subscribed and sworn to before me this 11th day of June, 1914.
H. A. Nelson
Notary Public

....., Register, do hereby
a notice, a printed copy of which is hereunto
by me posted in a conspicuous place in my
period of thirty days, I having posted said
day of, 190

Falls, in

3. The numbers of such permits are 4731, 4732, 4733, 4734 and 4735, and the date set for the completion of such work is June 7th, 1914.

4. Said water to be used for irrigation and domestic purposes.

5. Said works of diversion will 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 permits, is 2100 cubic feet per second.

6. The amount of lands for which said water is available is 45,816.17 acres, particularly described as follows:

Twp. 12 South, of Range 20 E. B. M.

Sec. 1--All	640	acres
2--All	640.50	"
3--Lot 1	40.50	"
2	40.10	"
S $\frac{1}{2}$ NE $\frac{1}{4}$	80	"
Lot 3	40	"
NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	"
12--E $\frac{1}{2}$	320	"
13--E $\frac{1}{2}$	320	"
14--NE $\frac{1}{4}$	160	"
24--E $\frac{1}{2}$	320	"
E $\frac{1}{2}$ NW $\frac{1}{4}$	80	"

Twp. 12 South, of Range 21 E. B. M.

Sec. 1--Lot 1	40	acres
2	39.82	"
S $\frac{1}{2}$ NE $\frac{1}{4}$	80	"
Lot 3	39.65	"
SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	"
E $\frac{1}{2}$ SW $\frac{1}{4}$	80	"
SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	"
SE $\frac{1}{4}$	160	"
Sec. 2--SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	"
3--W $\frac{1}{2}$ SW $\frac{1}{4}$	80	"
3--SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	"
SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	"
4--All	633.70	"
5--All	636.94	"
6--All	633.94	"
7--All	632.70	"
8--All	640	"
9--All	640	"
10--All	640	"
11--All	640	"
12--All	640	"
13--All	640	"
14--All	640	"
15--All	640	"
16--All	640	"
17--All	640	"
18--All	633.86	"
19--All	634	"
20--All	640	"
21--All	640	"
22--All	640	"
23--All	640	"
24--All	640	"
25--All	640	"
26--All	640	"
27--All	640	"
28--All	640	"
29--E $\frac{1}{2}$ NE $\frac{1}{4}$	80	"
N $\frac{1}{2}$ NW $\frac{1}{4}$	80	"
SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	"
E $\frac{1}{2}$ SE $\frac{1}{4}$	80	"
30--NE $\frac{1}{4}$	160	"
NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	"
N $\frac{1}{2}$ SE $\frac{1}{4}$	80	"
SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	"
32--E $\frac{1}{2}$ NE $\frac{1}{4}$	80	"
SW $\frac{1}{4}$ NE $\frac{1}{4}$	40	"
SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	"
NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	"
33--N $\frac{1}{2}$	320	"
SE $\frac{1}{4}$	160	"
E $\frac{1}{2}$ SW $\frac{1}{4}$	80	"
34--All	640	"
35--All	640	"
36--All	640	"

Twp. 12 South, of Range 22 E. B. M.

Sec. 4--All	639.10	acres
5--All	637.93	"
6--All	640.64	"
7--All	647.44	"
8--N $\frac{1}{2}$	320	"
N $\frac{1}{2}$ SW $\frac{1}{4}$	80	"
9--N $\frac{1}{2}$ NE $\frac{1}{4}$	80	"
16--All	640	"
18--All	647.51	"
19--N $\frac{1}{2}$ NE $\frac{1}{4}$	80	"
NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	"
Lot 1	41.76	"
20--NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	"
28--NW $\frac{1}{4}$	160	"
S $\frac{1}{2}$	320	"
29--All	640	"
31--All	650.80	"
32--All	640	"
33--All	640	"
34--All	640	"
35--S $\frac{1}{2}$	320	"
36--All	640	"

Twp. 13 South, of Range 21 E. B. M.

Sec. 1--All	644.10	acres
2--All	647.12	"
3--All	644.12	"
4--Lot 1	39.68	"
2	39.72	"
S $\frac{1}{2}$ NE $\frac{1}{4}$	80	"
E $\frac{1}{2}$ SE $\frac{1}{4}$	80	"
10--N $\frac{1}{2}$	320	"
E $\frac{1}{2}$ SW $\frac{1}{4}$	80	"
SE $\frac{1}{4}$	160	"
11--All	640	"
12--All	640	"
13--All	640	"
14--All	640	"
15--NE $\frac{1}{4}$	160	"
NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	"
23--NE $\frac{1}{4}$	160	"
NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	"
NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	"
24--All	640	"
25--NE $\frac{1}{4}$	160	"
E $\frac{1}{2}$ NW $\frac{1}{4}$	80	"
NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	"

Twp. 13 South, of Range 22 E. B. M.

Sec. 1--SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	acres
N $\frac{1}{2}$ SW $\frac{1}{4}$	80	"
SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	"
2--Lot 2	40.86	"
S $\frac{1}{2}$ NE $\frac{1}{4}$	80	"
Lot 3	40.72	"
4	40.58	"
S $\frac{1}{2}$ NW $\frac{1}{4}$	80	"
S $\frac{1}{2}$	320	"

E $\frac{1}{2}$ SW $\frac{1}{4}$	80	"
19--E $\frac{1}{2}$ NW $\frac{1}{4}$	80	"
Lot 1	47.08	"
3	46.61	"
4	46.37	"
NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	"
22--E $\frac{1}{2}$	320	"
23--W $\frac{1}{2}$ NW $\frac{1}{4}$	80	"
W $\frac{1}{2}$ SW $\frac{1}{4}$	80	"
26--W $\frac{1}{2}$ NW $\frac{1}{4}$	80	"
W $\frac{1}{2}$ SW $\frac{1}{4}$	80	"
NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	"
27--E $\frac{1}{2}$ NE $\frac{1}{4}$	80	"
SE $\frac{1}{4}$	160	"
30--Lot 1	46.14	"
4	45.54	"
31--Lot 1	45.34	"
SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	"
NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	"

Total 45,816.17 acres
F. P. KING,
State Engineer.

Proof of Completion of Works

DEPOSITION OF HOLDER

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

Ans. D C MacWatters - Milner Idaho - General Manager - Milner Idaho

Ques. 2. If acting in 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 Falls Oakley Land and Water Co - Wilmington Delaware - Vice President and General Manager

Ques. 3. State number and date of permit, amount of water you are authorized to divert, source, and point of diversion.

Ans. 4735 - June 7 1909 - 300 sec ft - Birch Creek - in NW 1/4 11 - 14S - 22E

Ques. 4. State purpose for which water is to be used, and, if for irrigation, state the number of acres and give description of the land you intend to reclaim.

Ans. Irrigation and Domestic - 45,816.17 acres - per attached list - water to be stored in reservoir

Ques. 5. State whether or not the water has been turned into your works of diversion, and, if so, when and to what extent.

Ans. It has - 25 sec ft in May 1913 and 70 sec ft in April 1914

Ques. 6. State whether or not the works of diversion are fully completed, and whether or not they comply in all respects with the terms of the permit.

Ans. Fully completed but do not comply in all respects with the terms of Permit

Ques. 7. If the works of diversion do not comply with all the terms of your permit, state fully those particulars in which there is any variance.

Ans. Point of diversion is in NW 1/4 24 - 14S - 22E. Dimensions of canal are - bottom 5 feet, slopes 2 to 1, depth 3.3 feet, grade 5.28 ft per mile, capacity 100 sec ft, length 7 miles

Ques. 8. Give description of works, state dimensions and capacity of each part, and give cost of same.

Ans. Canal 7 miles long, bottom 5 ft, slopes 2 to 1, depth 3.3 feet, grade 5.28 ft per mile, capacity 100 sec ft. Headworks concrete, same section as canal. Dam concrete, 5.5 ft high, 65 ft long. Cost approx \$48,000. Reservoir capacity 74,350 acre feet; dam 143 ft high, 1075 ft top length

(Sign here.)

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

Twin Falls, State of Idaho, on this 8th day of

June A. D. 1914

Notary Public.

My Commission expires AUG. 28, 1915.

	SE		
	Lot 3	40	00
	NE-SE	40	"
12	NE	320	"
13	NE	320	"
14	NE	160	"
24	NE	320	"
	NE-NW	80	"

Top 12 South, of Range 21 E. N. M.

Sec.	1	Lot 1	40	00	"
		2	32	82	"
		SE-NE	80		"
		Lot 2	32	65	"
		SE-NW	40		"
		NE-SW	80		"
		SW-SW	40		"
		SE	160		"
Sec.	2	SE-SE	40		"
	3	W-SW	80		"
	3	SE-SW	40		"
		SW-SE	40		"
	4	All	633	70	"
	5	"	636	94	"
	6	"	635	94	"
	7	"	632	70	"
	8	"	640		"
	9	"	640		"
	10	"	640		"
	11	"	640		"
	12	"	640		"
	13	"	640		"
	14	"	640		"
	15	"	640		"
	16	"	640		"
	17	"	640		"
	18	"	633	86	"
	19	"	634	00	"
	20	"	640		"
	21	"	640		"
	22	"	640		"
	23	"	640		"
	24	"	640		"
	25	"	640		"

Sec.	26 - All	640	Acres
	27 - "	640	"
	28 - "	640	"
	29 - NE 1/4	80	"
	SE 1/4	80	"
	SW 1/4	40	"
	S 1/2	80	"
	30 - NE 1/4	160	"
	NE 1/4	40	"
	SE 1/4	80	"
	S 1/2	40	"
	31 - NE 1/4	80	"
	SE 1/4	40	"
	SW 1/4	40	"
	NW 1/4	40	"
	32 - NE 1/4	320	"
	SE 1/4	160	"
	SW 1/4	80	"
	33 - All	640	"
	34 - "	640	"
	35 - "	640	"

Typ 12 South, of Range 22 E. B. M.

Sec.	4 - All	639 10	Acres
	5 - "	637 93	"
	6 - "	640 64	"
	7 - "	647 44	"
	8 - NE 1/4	320	"
	SE 1/4	80	"
	9 - NE 1/4	80	"
	10 - All	640	"
	11 - "	647 51	"
	12 - NE 1/4	80	"
	NE 1/4	40	"
	Lot 1	41 76	"
	20 - NW 1/4	40	"
	21 - NW 1/4	160	"
	S 1/2	320	"
	22 - All	640	"
	23 - "	650 80	"
	24 - "	640	"
	25 - "	640	"
	26 - "	640	"
	27 - NE 1/4	320	"
	28 - All	640	"

Typ 12 South, of Range 21 E. B. M.

Sec.	1 - All	644 10	Acres
	2 - "	647 12	"

1735

Sec.				Acres
3	- All	644	12	
4	- Lot 1	39	68	
		39	72	
	SE 1/4	80		
	NE 1/4	80		
10	- NE 1/4	320		
	NE 1/4 SW 1/4	80		
	SE 1/4	160		
11	- All	640		
12	- "	640		
13	- "	640		
14	- "	640		
15	- NE 1/4	160		
	NE 1/4 SE 1/4	40		
23	- NE 1/4	160		
	NE 1/4 NW 1/4	40		
	NE 1/4 SE 1/4	40		
24	- All	640		
25	- NE 1/4	160		
	NE 1/4 NW 1/4	80		
	NE 1/4 SE 1/4	40		

Twp 15 South, of Range 22 E. S. M.

Sec.				Acres
1	- SE 1/4 NW 1/4	40		
	NE 1/4	80		
	SE 1/4 NW 1/4	40		
2	- Lot 2	40	84	
	SE 1/4 NW 1/4	80		
	Lot 3	40	72	
	4	40	56	
	SE 1/4 NW 1/4	80		
	SE 1/4	320		
3	- All	645	12	
4	- "	652	67	
5	- Lot 1	44	60	
	2	43	96	
	SE 1/4 NW 1/4	80		
	SE 1/4	160		
6	- Lot 4	45	24	
	5	45	77	
7	- NE 1/4 NW 1/4	40		
8	- NE 1/4	160		
	SE 1/4 NW 1/4	40		
	NE 1/4 SW 1/4	40		
	NE 1/4 SE 1/4	80		
9	- All	640		
10	- "	640		
11	- NE 1/4 NW 1/4	80		
	NE 1/4 SE 1/4	40		
	NE 1/4	160		
	NE 1/4 SW 1/4	80		
12	- NE 1/4 NW 1/4	40		

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Sec.	Section	Acres	Acres
14	W1/4NW1/4	80	"
	W1/4SW1/4	80	"
15	E1/4NE1/4	80	"
	NE1/4	160	"
	E1/4SE1/4	80	"
16	All	640	"
17	SW1/4NE1/4	40	"
	NE1/4NE1/4	40	"
18	Lot 3	47	51
	4	47	89
	NE1/4SW1/4	80	"
19	NE1/4SW1/4	80	"
	Lot 1	47	98
	3	44	61
	4	44	37
	NE1/4SW1/4	40	"
22	E1/4	320	"
23	W1/4NW1/4	80	"
	W1/4SW1/4	80	"
24	W1/4NW1/4	80	"
	W1/4SW1/4	80	"
	NE1/4SW1/4	40	"
27	NE1/4NE1/4	80	"
	SE1/4	160	"
30	Lot 1	48	14
	4	48	54
31	Lot 1	48	34
	SE1/4NW1/4	40	"
	NE1/4SW1/4	40	"

Total----- 45 816 17 Acres

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

PERMIT NO. 4735

Proof of Completion of Works

DEPOSITION OF WITNESS

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

Ans.

Carl A. McDelland, 32 yrs, Cadeby, Ida.
Civil Engineer

Ques. 2. Are you acquainted with

A. C. MacWalters,

the

holder of Permit No. 4735, authorizing the diversion of 300 second-feet of the waters of

Birch Creek

at NW⁴ 11-14-22

for any domestic purposes? How long have you known him, and where does he reside?

Ans.

Seven years; Milner Idaho

Ques. 3. Have you read or heard read said Permit No. 4735, and are you familiar with its terms and conditions?

Ans.

Yes

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans.

Yes; It is a sandy loam soil having a gentle slope and requires 1.5 acre feet of water for its profitable cultivation.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans.

Yes to the extent of 100 sec feet

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans.

The diversion works consist of a dam and a canal seven miles long, having a bottom width of 5 feet, slopes 2 to 1, depth of water 3.3 feet, grade 5.28 ft per mile with a capacity of 100 second feet

RECEIVED

(Sign here.)

Carl A. McDelland

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 Milner, County

of

Twin Falls

State of Idaho, on this

8th

day of

June

A. D. 1914

MY COMMISSION EXPIRES AUG. 26, 1916.

Charles J. Baker

NOTARY PUBLIC
4735

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

PERMIT NO. 4735

Proof of Completion of Works

DEPOSITION OF WITNESS

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

Ans. A. J. Wiley, age 57, residence Boise, Idaho, occupation
civil engineer, post office Boise, Idaho,

Ques. 2. Are you acquainted with D. C. Mac Vallus, the

holder of Permit No. 4735, authorizing the diversion of 300 second-feet of the waters of

Birch Creek, at N. 1/4 11-14-22

for the ^{the} Dom purposes? How long have you known him, and where does he reside?

Ans. Yes for 7 years, and he resides at ~~Boise~~ Boise Idaho,

Ques. 3. Have you read or heard read said Permit No. 4735, and are you familiar with its terms and conditions?

Ans. Yes.

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Yes. It is a sandy loam of very regular
formation and requires about 1.5 acre feet
per acre for profitable cultivation.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. Yes, to the extent of 100 second feet.

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. They consist of a canal 7 miles long,
with bottom width of 5 feet, sides 2-1, depth 3.3 feet,
grade 5.28 feet per mile and capacity of 100 second
feet.

(Sign here.)

A. J. Wiley

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 Boise, County

of Boise Falls, State of Idaho, on this 8th day of

June A. D. 1914

MY COMMISSION EXPIRES AUG. 25, 1915.

NOTARY PUBLIC

4735

State of Idaho
ENGINEERING DEPARTMENT
BOISE

F. P. KING,
STATE ENGINEER

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Mr. S. H. Hays, Lawyer,
Boise, Idaho.

Boise Idaho, March 3, 1914.

Dear Sir:

I enclose herewith blank form upon which to give notice that you are prepared and desire to submit proof of completion of works under your permit No. 4735.

This form should be filled out and mailed to the State Engineer at least 60 days before the date upon which it is to be submitted, which proof MUST be made on or before June 7, 1914.

Upon receipt of this blank properly filled out, notice must be published a period of four weeks prior to the date of proof.

The proof may be submitted at any place convenient to you and two witnesses, where there is a Notary Public or other officer authorized to administer oaths.

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

Yours truly,

F. P. KING,

State Engineer

4735

BOND No. _____

The Title Guaranty & Surety Company.



HOME OFFICE: SCRANTON, PENNSYLVANIA.

Know all Men by these Presents:

That _____ S. H. HAYS- _____

(hereinafter called the principal), and **THE TITLE GUARANTY & SURETY COMPANY**, a corporation created and existing under the laws of the Commonwealth of Pennsylvania, and whose principal office is located in the City of Scranton, Commonwealth of Pennsylvania, (hereinafter called the Surety), are held and firmly bound unto _____ the State of Idaho,

(hereinafter called the obligee), in the full and just sum of _____ One Thousand- _____ (\$1000.00) Dollars, lawful money of the United States, to the payment of which sum, well and truly to be made, the said Principal binds himself, his heirs, executors and administrators, and the said Surety binds itself, its successors and assigns jointly and severally, firmly by these presents, signed and delivered this, _____ 5th day of August, _____ A. D., 1909.

Whereas, said Principal has entered into a certain written contract with the Obligee, the terms of which obligation are such that, whereas, the above named principal on the 10th day of March, 1909, filed in the Office of the State Engineer in Boise, Idaho, a certain application for Permit to appropriate the public waters of the State of Idaho, the said application being thereupon numbered No. 6321, in accordance with which said application the State Engineer granted and issued _____ numbered to the said principal herein a certain permit No. 4735, a full, true and complete copy of which application No. 6321, and Permit No. 4735, is of record in the office of the State Engineer, in Book 13 of Permits at page 4735.

4735

Now, Therefore, The condition of the foregoing obligation is such that if the said Principal shall well and truly indemnify and save harmless the said Oblige from any pecuniary loss resulting from the breach of any of the terms, covenants and conditions of the said contract on the part of the said Principal to be performed, then this obligation shall be void; otherwise to remain in full force and effect in law; PROVIDED, however, that this bond is issued subject to the following conditions and provisions:

First—That no liability shall attach to the Surety hereunder unless, in the event of any default on the part of the Principal in the performance of any of the terms, covenants or conditions of the said contract, the Oblige shall promptly and immediately upon knowledge thereof, and in any event not later than thirty days after the occurrence of such default, deliver to the Surety at its office in the City of Scranton, Penna., written notice thereof with a statement of the principal facts showing such default and the date thereof; nor unless the said Oblige shall deliver written notice to the Surety at its office aforesaid before making to the Principal the final payment provided for under the contract herein referred to.

Second—That in case of such default on the part of the Principal, the Surety shall have the right, if it so desire, to assume and complete or procure the completion of said contract; and in case of such default, the Surety shall be subrogated and entitled to all the rights and properties of the Principal arising out of the said contract and otherwise, including all securities and indemnities therefor received by the Oblige, and all deferred payments, retained percentages and credits, due to the Principal at the time of such default, or to become due thereafter by the terms and dates of the contract.

Third—That in no event shall the Surety be liable for a greater sum than the penalty of this bond, or subject to any suit, action or other proceedings thereon that is instituted later than six months from the date stipulated in said contract for its completion.

Fourth—That the said Oblige shall retain the last payment and reserve due said principal until the complete performance by said principal of all the terms, covenants, conditions and stipulations of the contract on said principal's part to be performed, and until the expiration of the time within which liens or notices of liens may be filed, by reason of anything done in or towards the performance of said contract, and until the cancellations and discharge of such liens, if any.

Fifth—That in no event shall the Surety be liable for any damage resulting from, or for the construction or repair of any work damaged or destroyed by, an act of God, or the public enemies, or mobs, or riots, or civil commotion, or by employees leaving the work being done under said contract, on account of so-called "strikes" or labor difficulties.

In Testimony Whereof, the said Principal ha hereunto set his hand and seal , and the said surety has caused these presents to be sealed with its corporate seal, duly attest- ed by the signature of its Attorney-in-Fact the day and year first above written.

Signed, sealed and delivered
in the presence of

_____ [SEAL]
_____ [SEAL]
_____ [SEAL]

THE TITLE GUARANTY & SURETY COMPANY.

By Frank B. King
Its Attorney-in-Fact.

APPROVED

DATE Aug 6 1909

John Stephenson Jr.
STATE ENGINEER

Received and filed for record in the office
of the State Engineer at Boise, Idaho, at

11 A. M. August 6 1909.

John Stephens
STATE ENGINEER.

\$

**The Title Guaranty &
Surety Company**

Contract Bond

No.

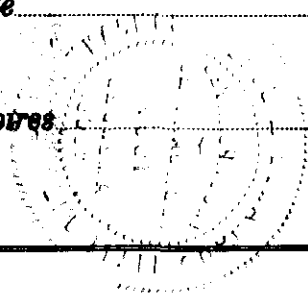
ON BEHALF OF

TO

Date 19

Expires 19

RECEIVED OCTOBER 12 1909



State of Idaho
ENGINEERING DEPARTMENT
BOISE

JAS. STEPHENSON, JR.
STATE ENGINEER

Boise, Idaho, June 19, 1909

Permit No. 4735
S.H.Hays,
Boise, 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.

JAS. STEPHENSON, Jr.,
State Engineer.

4735

State of Idaho
ENGINEERING DEPARTMENT
BOISE

JAS. STEPHENSON, JR.,
ENGINEER

NOTE

That in order to keep this permit in force a bond in the sum of \$ 1,000 must be filed in the office of the State Engineer on or before August 6, 1909 conditioned upon faithfully carrying to completion the works of diversion as specified in said permit and in the application therefor.

JAS. STEPHENSON, JR.,

State Engineer.

4735