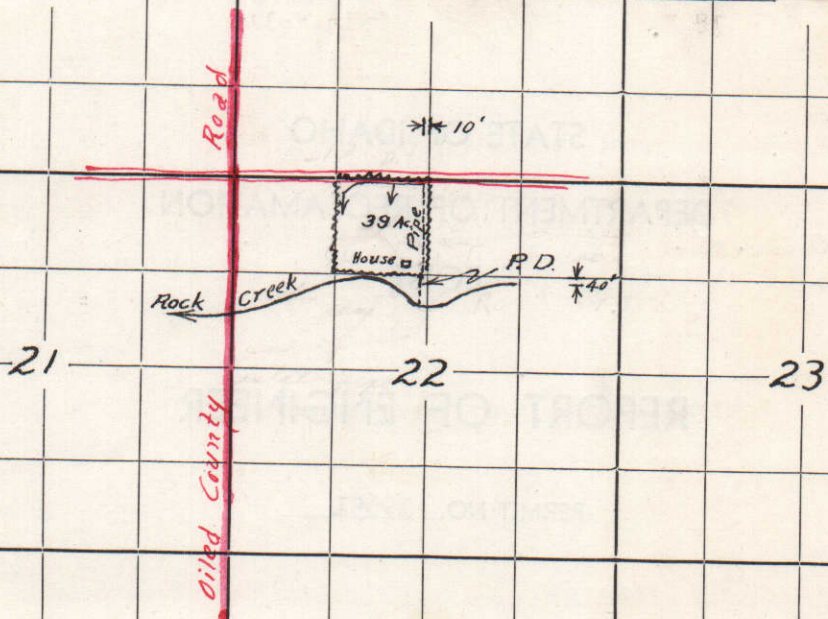


T. 11S., R. 18E.

STRICKER



Area = 39 acres.
Allow 39" of water.

ROCK CREEK

NAME OF APPLICANT Edward McCarty

FORM No. 0



Permit Map No. 19651
As Approved
JUN 16 1945
MARK R. KULP
State Reclamation Engineer

SCALE: 2 INCHES EQUAL 1 MILE. DRAW PLAN IN INK.

State of Idaho

License and Certificate of Water Right

Water License No. 19651

Amount 0.78 second foot

Water District No.

Priority June 4, 1949

THIS IS TO CERTIFY that EDWARD MCCARTY
of Kimberly, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated June 6, 1945; that Permit No. 19651
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.8 second foot, was issued thereunder on June 17, 1947, showing that said works
were completed on the 10th day of June, 1947; and that on the 14th
day of June, 1952,

EDWARD MCCARTY
of Kimberly, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Rock
Creek, a tributary of Snake River, for the purpose of irrigation and domes-
tic use, under Use Permit No. 19651 of the Department of Reclamation
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 State Reclamation Engineer of Idaho and entered of record in Volume
8 of Licenses at page 4949, on the 15th day of July, 1952;

The right hereby confirmed dates from June 4, 1949;

The Point of Diversion is located
in the SE 1/4 NW 1/4, Sec. 22, Tp. 11 S., R. 18 E., B.M. Twin Falls 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 0.78 cubic foot per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
11 S.	18 E.	22	NE 1/4 NW 1/4	40	39

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 State Reclamation Engineer, affixed at Boise, Idaho, this
15th day of July, 1952.

(SEAL)

MARK R. KULP

State Reclamation Engineer

45-2268
47-2502

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

Application No. 27174
Permit No. 19651
District No.

S. T. Hamilton
Twin Falls, Idaho

1. Name of Applicant: EDWARD McCARTY

Postoffice address: Kimberly

County: Twin Falls

State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (b) Treasury stock:
- (d) Other resources:

- (a) Cash on hand:
- (c) Bonds to be issued:

2. Quantity of water claimed: 0.8

cubic feet per second.

3. Source of water supply: Rock Creek

which is a tributary of Snake River

4. Location of point of diversion:

feet distant from the

corner of Section , T. , R. , B. M., and is in the SE $\frac{1}{4}$ NW $\frac{1}{4}$
of Section 22, T. 11 S., R. 18 E., B. M., County of Twin Falls

5. Water is to be used for Domestic use and irrigation

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

- (a) Point of use of water: feet distant from corner of Section
T. , R. , B. M., in the of Section , T. , R. , B. M.
(b) Amount of power generated: H. P., under feet head.
(c) Water is to be returned to at a point feet
distant from the corner of Section , T. , R. , B. M., in the
of Section , T. , R. , B. M.

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

8. Kind of works: Ditch, sump, pump and pipe

9. Height of dam feet; length of dam at top feet; length of dam at bottom
feet; material used in dam:

10. Size of headgate: Width 2 feet; height 2 feet;

11. Ditch: Width at bottom 2 feet; width at water line 4 feet; depth of water 1 feet;

dimensions of flume:

Diameter of pipe inches; length of conduit 600 feet miles.

Average grade per mile feet.

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

13. The time required for the complete application of the water to the proposed use is One (1) additional years.

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

15. (a) Is reservoir to be used? No If so, fill in (b) and (c) below.
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

EDWARD McCARTY *Applicant.*

By _____ Agent.

Date of first receipt at Department of Reclamation: 3:30 P. M. June 6, 1945

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 19651
Recorded in Book 71 Page 19651 Approved June 16, 1945
This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and
hereby approve the same, subject to the following limitations and conditions:
Bond in the sum of \$ to be filed on or before
Work to begin on or before August 16, 1945 and to continue diligently and uninterruptedly to completion,
unless temporarily interrupted by circumstances over which permit holder has no control.
One-fifth of the work above specified to be completed on or before June 16, 1946
The whole of said work to be completed on or before June 16, 1947
Beneficial use of water appropriated in accordance herewith, to be made on or before June 16, 1948

Witness my hand this 16th day of June, 1945

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, CHARLES C. GOSSETT, Governor of the State of Idaho,
and IRA H. MASTERS, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 16th
day of June, 1945
Countersigned: STATE OF IDAHO

(SEAL) By IRA H. MASTERS Secretary of State.

By CHARLES C. GOSSETT Governor

Remarks: This water right will be delivered from Rock Creek through a ditch to a sump with which the pump will be connected and the water will be lifted from the sump through a pipe to the land to be irrigated. There is no other water right available or appurtenant to this land.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
11 S.	18 E.	22					40												40
							PERMIT NO. 19651 Certificate of Completion of Works												
To All Whom it may Concern: This is to certify that EDWARD McCARTY, of Kimberly, County of Twin Falls, and State of Idaho, the holder of Permit No. 19651, issued upon Application No. 27174, bearing date of priority of June 6, 1945, authorizing the diversion of 0.8 second foot of the waters of Rock Creek, a tributary of Snake River, County of Twin Falls, State of Idaho, for domestic and irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 0.8 second foot of the waters of Rock Creek; that the point of diversion of said waters is in the SE ¹ / ₄ NW ¹ / ₄ Section 22, Township 11 South, Range 18 East, B.M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: NE ¹ / ₄ NW ¹ / ₄ Section 22, Township 11 South, Range 18 East, B.M. Witness my hand this 17th day of June, A. D. 1947.																			
Proof of completion of works made June 14, 1947 Certificate of completion of works issued June 17, 1947																			
LICENSE ISSUED FOR 0.28 SEC. FT. pag. 4949																			

FROM

Ray Walker

TO

File 47-2502

SUBJECT

current owner

per phone conversation current
owner of this right is:

Stan Hays III

Rt. 2

Kimberly, Id. 83341

SIGNATURE

Twin Falls County —

July 17, 1952

RE: Permit No. 19651

Messrs. Blandford & Blandford
Municipal Building
Kimberly, Idaho

ATT: Mr. A. L. Blandford

Dear Mr. Blandford:

We enclose License and Certificate of Water Right issued under Permit No. 19651, confirming the right of Edward McCarty to the use of 0.78 second foot of water from Rock Creek with priority of June 4, 1949; point of diversion being in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 22, Township 11 South, Range 18 East, B.M., for irrigation and domestic use on the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said section.

We also enclose departmental receipt No. 24661 for the \$2.00 license fee paid in connection therewith.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

19651

✓
July 7, 1958

RE: Permit No. 19651

Messrs. Blandford & Blandford
Municipal Building
Kimberly, Idaho

ATT: Mr. A. L. Blandford

Dear Mr. Blandford:

The report of our field engineer on examination for beneficial use under Permit No. 19651 in the name of Edward McCarty shows that he has irrigated 39 acres of land in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 22, Township 11 South, Range 18 East, B.M.

Therefore, upon receipt of the statutory fee of \$2.00, a license will be issued for 39 inches or .78 second foot of water from Rock Creek.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

19651

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

Permit No. 19651

This proof is for Beneficial use In Water District No. _____

1. Name of applicant Edward McCarty, Route 2, Kimberly, Idaho

2. Source of water supply: Rock Creek

3. Location of point of diversion: Is in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22

T. 11 S. R. 18 E. County of Twin Falls

4. Describe works as they exist, giving dimensions and capacities of same: A dug channel approx. 200' long extends from present creek channel to pump. 6" x 40' intake pipe from channel to pump. Deming-Mueller pump #DC94017, size 6, 6" intake and outlet. Powered by Crocker Wheeler Electric Mfg. Co. - Joshua Hendy Corp motor #018390143, 20 HP., 220 V., 50 amp., 60 cycle, 3 phase. V-belt drive to pump. Square D switch, 100 amp., 230 VAC. G.E. meter #22534923, 50 amp., 240 V., 60 cycle, 3 phase, demand 1.38 x 10. 6' x 6' board house over pump during winter only. Pump on concrete base, discharges to North. 1200' x 12" iron pipe lifts water approx. 30' above pump. Ditches are complete except for one acre in north west corner of 40. Pump is a centrifugal type pump. approx. 6' lift to pump.

5. Water is used for: Irrigation and domestic purposes

6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

39 A. NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 22, Township 11 South, Range 18 East, B. M.

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

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

Remarks: Applicant sells gravel from creek near point of diversion. This changes the pumping head occasionally. According to Mr. McCarty the pump has been lowered to present installation from one somewhat higher due to the lowering of the water level in Rock Creek.

Crop- barley

This examination was made on the 23rd day of June, 1952

(Signed)

Alfred B. Larson
Examiner.

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

Edward McCarty
Rt. 2, Kimberly, Idaho
Permit No. 19651

Examination for Beneficial use

County Twin Falls

S. 22 T. 11 S., R. 18 E.

Q 2.8 cfs

S. 22 T. 11 S., R. 18 E.

TD 52, 114, S. 22

Rd 2 6-6-45

6-16-48

For pit and dam.

RECEIVED
JUL 3 1952

Department of Reclamation

rep - barley

Deming-Mueller pump
DC 94017 size 6

Crocker Wheeler Electric
W. B. - Joshua T. Long, 314.

018390143 20 HP

220/440 V 50-25 amp.

1760 RPM 3 phase
60 cye.

six inch intake pipe
six inch outlet

6" intake pipe from pump to
pool. 40' long

outlet enlarges to 12" int. pipe
V-Bolt drive for pump

Square D switch
100 amp 230 VAC

GE meter # 22 534 923

50 amp 240 V 60 cye
3 phase demand 1.38 x 10

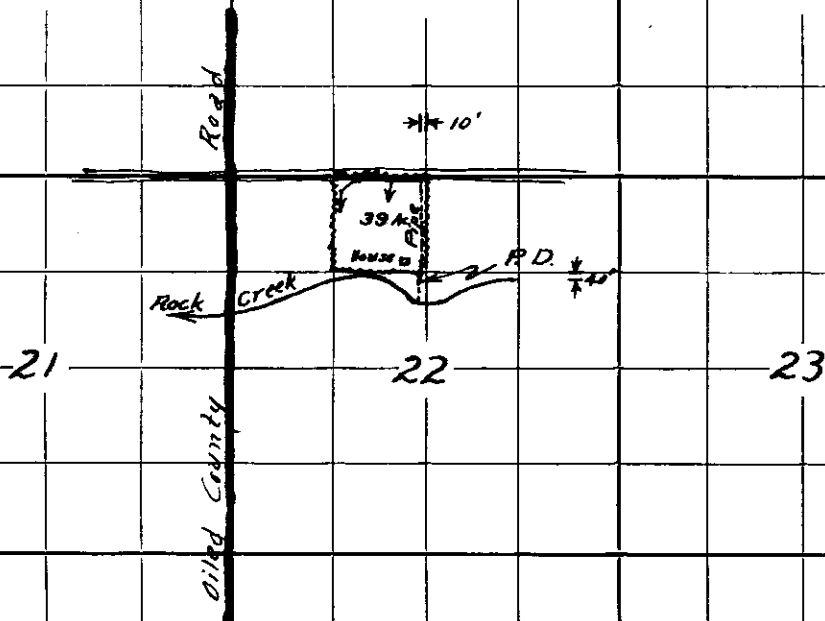
8' x 8' concrete, brick house
for pump (abandoned)

6' x 6' pump house (board)
for winter protection,
pump set on concrete base
discharge to North

1200'-1300' of 12" pipe.
lift approx. 30'

T. 11 S., R. 18 E.

STRICKER



Area = 39 acres.
Allow 39" of water.

ROCK CREEK

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 19651

REPORT ON PROOF OF Beneficial use

EDWARD McCARTY, Route 2, Kimberly, Idaho

• 78 a/c
sure

app. 0.8 c/s

39 a/c

✓
June 20, 1952

RE: Permit No. 19651

Messrs. Blandford & Blandford
Municipal Building
Kimberly, Idaho

ATT: Mr. A. L. Blandford

Dear Mr. Blandford:

We acknowledge receipt of your letter of June 19, 1952, enclosing depositions of Edward McCarty and two witnesses, also affidavit of publication in the Kimberly Advertiser, all in proof of beneficial use under Permit No. 19651.

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

We cannot say just when this examination will be made as this department has but one field engineer who makes examinations all over the State.

However, he will try to contact Mr. McCarty at the time the examination is made so that arrangements may be made to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

19651

AFFIDAVIT OF PUBLICATION

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

Notice is hereby given that at 11:00 A. M. on the 14th day of June, 1952, at the office of Blandford & Blandford, Municipal Building, at Kimberly, County of Twin Falls, State of Idaho, before A. L. Blandford, a Notary Public, proof will be submitted of the application to beneficial use of 0.8 cubic feet per second of the waters of Rock Creek in accordance with the terms and conditions of Permit No. 19651 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and post office address of the person or corporation holding said permit are Edward McCarty, Route 2, Kimberly, Idaho.

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

The amount applied to beneficial use is 0.8 cubic feet per second.

The place where said water is used is the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 22, Township 11 South, Range 18 East Boise Meridian.

The right to take water from such works is based upon Permit No. 19651.

The source of supply from which such water is diverted is Rock Creek, with point of diversion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 22, Township 11 South, Range 18 East, B. M.

The date of priority which said user is prepared to establish is June 4, 1949.

MARK R. KULP,
State Reclamation Engineer.
(Pub. May 23, 30; June 6, 13, '52)

KIMBERLY ADVERTISER
KIMBERLY, IDAHO

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

ss.

County of Twin Falls

I, Harold H. Harte being first duly sworn on oath, say:

That I am publisher of the Kimberly Advertiser, a newspaper of general circulation in Twin Falls County, Idaho, published weekly in Kimberly in said county and state; that a true copy of the annexed notice was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated May 23 1952, and ending with the issue dated June 13 1952.

And I do further swear that said newspaper has been so published as a weekly newspaper in said city and county, continuously and uninterruptedly during a period of more than seventy-eight consecutive weeks prior to the first publication of said above mentioned legal advertisement.

Harold H. Harte

Subscribed and sworn to before me this 13th day of June, 1952
H. B. Blanford
Notary Public for the State of Idaho.

(My commission expires Nov. 19, 1953)

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 19651

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Edward McCarty; Route 2, Kimberly, Idaho; farmer and owner of a gravel company.

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

Ans. ---

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

Ans. No. 19651; dated June 6, 1945; Priority of June 4, 1949.

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

Ans. Source of supply is surface water from Rock Creek, a tributary of Snake River. Point of diversion is in SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 22, Tp. 11 S., R. 18 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. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined.

Ans. The water flows from Rock Creek through a ditch two feet wide at bottom and four feet wide at water line to a sump. It is then pumped from the sump and lifted through a pipe twelve inches in diameter and 1200 feet in length to the land irrigated. The pump is a 20 H.P., 6 inch pump, and the works are capable of conveying 2 cubic feet of water or more to place of use.

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

Ans. Water is used for domestic purposes and irrigation of cultivated and pasture land in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 22, Tp. 11 S., Range 18 E.B.M., containing 40 acres, all of which have been irrigated with said water.

19651

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

Ans. --

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

Ans. 0.8 cubic feet per second.

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

Ans. --

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

Ans. Water in the amount of 0.8 cubic feet per second was first used for cultivation of crops and on pasture about June 6, 1945. Said amount of water has been used each year since such date.

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. None.

(Sign)

Edward M. Carty

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 Kimberly, County of Twin Falls, State of Idaho, on this 14th day of June, A. D. 1952,

H. Blandford
Notary Public for Idaho,
Residing at Kimberly, Idaho.

My commission expires Nov. 19, 1953.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 19651

Proof of Application of Water to Beneficial Use

Deposition of Witness

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

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

Ans. Paul Cunningham; age 40; Route 2, Kimberly, Idaho; farmer.

Ques. 2. Are you acquainted with Edward McCarty, the holder of Permit No. 19651? How long have you known him and where does he reside?

Ans. Yes. I've known him for 20 years. He resides at Route 2, Kimberly, Idaho.

Ques. 3. Have you read or heard read said Permit No. 19651, 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. The source of supply is surface water from Rock Creek, a tributary of Snake River. The water flows from said Creek through a ditch to a sump. It is then pumped from the sump and lifted through a pipe to the land irrigated. Point of diversion is in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 22, Tp. 11 S., Range 18 E.B.M.

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

Ans. The works will safely conduct, and I have seen conveyed, 0.8 cubic feet of water per second.

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

Ans. Water is used for irrigation and domestic purposes. It is used to irrigate pasture and cultivated land in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 22, Tp. 11 S., Range 18 E.B.M.

19651

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. The land is level and the soil of a sandy-clay texture; at least 0.8 cubic feet per second of water is necessary for profitable cultivation.

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 in the amount of 0.8 cubic feet per second was first used for cultivation of crops and pasture about June 6, 1945. I have resided near the land since such date and have seen this amount of water used each year.

(Signed) Paul Cunningham

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 Kimberly,
County of Twin Falls, State of Idaho, on this 14th day of June,
A. D. 19 52.

H. B. Blanford

My commission expires November 19, 1953.

Residing at Kimberly, Idaho.
Notary Public

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 19651

Proof of Application of Water to Beneficial Use

Deposition of Witness

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

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

Ans. ^{H.}
Edward/Dohse; age 38; Route 2, Hansen, Idaho; farmer.

Ques. 2. Are you acquainted with Edward McCarty, the holder of Permit No. 19651? How long have you known him and where does he reside?

Ans. Yes. I've known him for 20 years. He resides at Route 2, Kimberly, Idaho.

Ques. 3. Have you read or heard read said Permit No. 19651, 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. The source of supply is surface water from Rock Creek and flows from said Creek through a ditch to a sump. It is then pumped from the sump and lifted through a pipe to the land irrigated. Point of diversion is in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 22, Tp. 11 S., Range 18 E.B.M.

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

Ans. The works will safely conduct 0.8 cubic feet of water per second, and I have seen this amount of water being so conveyed to place of use.

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

Ans. Water is used for irrigation and domestic purposes. It is used to and cultivated irrigate pasture/land in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 22, Tp. 11 S., Range 18 E.B.M.

19651

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. The land is level and the soil of a sandy-clay texture; at least 0.8 cubic feet per second of water is necessary for profitable cultivation.

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 in the amount of 0.8 cubic feet per second was first used for cultivation of crops and pasture about June 6, 1945. I have resided near said land since that date and have seen this amount of water used each year.

(Signed) Edward H. Dehse

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 Kimberly, County of Twin Falls, State of Idaho, on this 14th day of June, A. D. 19 52.

My commission expires November 19, 1953. Residing at Kimberly, Idaho.
Notary Public.

BLANDFORD & BLANDFORD
LAWYERS

J. H. BLANDFORD
TWIN FALLS, IDAHO

A. L. BLANDFORD
KIMBERLY, IDAHO

June 19, 1952

RECEIVED
JUN 20 1952
Department of Reclamation

State of Idaho
Dep't. of Reclamation
Boise, Idaho

Gentlemen:

I enclose the affidavit of publication for notice of beneficial use proof, together with proofs of the holder and witnesses taken at the hearing held June 14, 1952.

Please address any further correspondence concerning this Permit No. 19651 to us at our Kimberly office.

Thank you for your cooperation.

Very truly yours,

BLANDFORD & BLANDFORD

by *A. L. Blandford*

ALB:rp
2 Encl: Affidavit.
Dep. of holder and
witnesses.

19651

May 20, 1952

RE: Permit No. 19651

Kimberly Advertiser
Kimberly
Idaho

ATT: Mr. Harold O. Hove

Dear Mr. Hove:

We have your letter of May 13, 1952, acknowledging receipt of notice for beneficial use proof on Permit No. 19651 of Edward McCarty.

In that letter you stated that the notice would be published the first time on Friday, May 16, 1952, but to date we have not received a copy of the issue as requested.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

19651

Kimberly Advertiser *Printers-Publishers*

HAROLD O. HOVE, Editor

Phone 79

Kimberly, Idaho

May 13, 1952

Jeanne L. Anderson, Chief Clerk
State of Idaho
Department of Reclamation
Boise, Idaho

RECEIVED
MAY 14 1952
Department of Reclamation

Dear Mrs. Anderson:

This is to acknowledge receipt of notice for
publication

RE: Edward McCarty
Route 2
Kimberly, Idaho

PERMIT No. 19651

To be published four consecutive weeks, the first
of which will appear this week, Friday, May 16th.

Thanks,

Harold O. Hove

Harold O. Hove

Publisher

19651

✓
May 12, 1952

RE: Permit No. 19651

Mr. A. L. Blandford
Municipal Building
Kimberly, Idaho

Dear Mr. Blandford:

We have sent to the Kimberly Advertiser notice of beneficial use proof to be made on Permit No. 19651 in the name of Edward McCarty on June 14, 1952, with instructions to publish it once a week for four consecutive weeks prior to that date and to send Mr. McCarty the affidavit of publication together with statement of costs.

At the time set, Mr. McCarty should appear before you together with two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder for the purpose of executing the depositions, forms for which are enclosed herewith.

We note your request for four sets of the forms used for deposition of holder and witnesses in making proof of beneficial use.

The forms are a little different for making beneficial use proof on surface water and on subterranean water, but we are sending you two sets of each, under separate cover.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

19651

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

Notice is hereby given that at 11:00 A. M. on the 14th day of June, 1952,
at the office of Blandford & Blandford, Municipal Building,
at Kimberly, County of Twin Falls, State of Idaho, before

A. L. Blandford, a Notary Public, proof will be submitted of the

application to beneficial use of 0.8 cubic feet per second of the waters of Rock Creek

in accordance with the terms and conditions of Permit No. 19651

heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Edward
McCarty, Route 2, Kimberly, Idaho

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

The amount applied to beneficial use is 0.8 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) is the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 22, Township 11 South, Range 18
East Boise Meridian

~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~
~~XXXXXX~~

The right to take water from such works is based upon Permit No. 19651

The source of supply from which such water is diverted is Rock Creek, with point of
diversion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 22, Township 11 South, Range 18 East, B.M.

The date of priority which said user is prepared to establish is June 4, 1949.

State Reclamation Engineer.

Publish: May 23, 30; June 6, 13, 1952.

19651

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 19651

Date: May 10, 1952

Kimberly Advertiser

Kimberly, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **June 14, 1952**, the date set for proof, the expense of the publication to be paid by the applicant, **Edward McCarty** of **Rt. 2, Kimberly, Idaho**, to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

By

Chief Clerk

19651

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Name) EDWARD MCCARTY

(Date) May 6, 1952

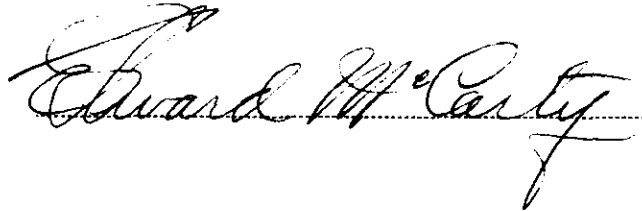
(P. O.) Route 2, Kimberly, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho.

Dear Sir:

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



(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.

19657

BLANDFORD & BLANDFORD
LAWYERS

J. H. BLANDFORD
TWIN FALLS, IDAHO

May 6, 1952

A. L. BLANDFORD
KIMBERLY, IDAHO
RECEIVED
MAY 7 1952
Department of Reclamation

State of Idaho
Dep't. of Reclamation
Capitol Building
Boise, Idaho

Re: Permit No. 19651, in name
of Edward McCarty, Route
2, Kimberly, Idaho.

Gentlemen:

I enclose notice for publication of beneficial use proof
with respect to the above permit.

Please forward to me four copies of the form for Deposition
of Holder and eight copies of the form for Deposition of Witness.

Thank you.

Very truly yours,

BLANDFORD & BLANDFORD

by *ALBlandford*

ALB:rp

19651

6-16-55
6-16-58

✓
October 25, 1951

RE: Permit No. 19651

Messrs. Blandford & Blandford
Attorneys at Law
Kimberly, Idaho

ATT: Mr. A. L. Blandford

Dear Mr. Blandford:

In answer to your letter of October 22, 1951, we are enclosing herewith a certified copy of the certificate of completion of works in connection with Permit No. 19651 in the name of Edward McCarty, issued on June 17, 1947.

Said permit was filed on June 6, 1945. Beneficial use proof was due on June 16, 1948. No extension can be granted for beneficial use proof for reason that extension would be dated subsequent to due date. Beneficial use proof can be made at any time. However, the priority will have to be advanced the amount of time that the proof is late.

Please remit to this department, \$1.50 for the certified copy of completion of works certificate as per statutory fees.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

RWT:fg
Enc.

R-23909

19651

BLANDFORD & BLANDFORD
LAWYERS

J. H. BLANDFORD
TWIN FALLS, IDAHO

A. L. BLANDFORD
KIMBERLY, IDAHO

Oct. 22, 1951

Reclamation Engineer
Dep't. of Reclamation
State of Idaho
Boise, Idaho

Gentlemen:

I am attempting to determine the present status of Permit No. 19651, filed in your office on June 6, 1945, by Edward McCarty.

The approval of the State Reclamation Engineer to the application provided that works was to be completed on or before June 16, 1947, and that proof of application to beneficial use was to be made on or before June 16, 1948.

If a certificate of completion of works was issued by your department for this permit, it has been misplaced by Mr. McCarty. I would, therefore, like to obtain a certified copy of such certificate if this is possible. Please advise me of the fee for this service.

I would also like to know if we can still make final proof on this permit. Mr. McCarty is ready to make such proof if such will be allowed. I assume that since the six years from completion of works has not yet expired, it will be possible to obtain an extension of time for proof of use to about June 16, 1952, and we can then proceed with the proof.

Please address future correspondence in this matter to me.

Very truly yours,


A. L. BLANDFORD

ALB:jb

19651

March 11, 1949

Re: Permit No. 19651

Mr. S. T. Hamilton
Attorney at Law
Twin Falls, Idaho

Dear Mr. Hamilton:

We return Certificate of Completion of Works
issued to Edward McCarty of Kimberly under Permit No.
19651.

Proof of Beneficial Use on this Permit was
due June 16, 1948, as per notice sent to Mr. McCarty.

However, this proof can still be made, of
course, but with a later priority and we enclose the
necessary forms herewith.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

19651

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

April 1, 1948

Mr. Edward McCarty

Kimberly, Idaho

Dear Sir:

We enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 19651. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

This proof must be submitted before a Notary Public or other officer authorized by law to administer oaths.

The date for proof, as set out in your permit, is not later than June 16, 1948, and if proof is submitted later than said date, your priority will be brought down a length of time equal to the time elapsing between the date the proof is due and the date proof is actually made.

Very truly yours,

MARK R. KELP

State Reclamation Engineer

19651

✓
September 4, 1947

Re: Permit No. 19651

Mr. C. T. Hamilton
Attorney at Law
Twin Falls, Idaho

Dear Mr. Hamilton:

In reply to your letter of the 3rd inst., will state that the Certificate of Completion of Works under Permit No. 19651 was sent to Edward McCarty, Kimberly, Idaho, on June 17, 1947.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

A

Chief Clerk

19651
~~19567~~

LAW OFFICES OF
S. T. HAMILTON
TWIN FALLS, IDAHO
September 3, 1947

Mark R. Kulp
State Reclamation Engineer
Boise, Idaho

Dear Mr. Kulp:

Would you tell me by return mail what has been done with the Certificate of Completion of Works in the matter of Edward McCarty? Was it sent direct to Mr. McCarty, or was it sent to our office and misplaced?

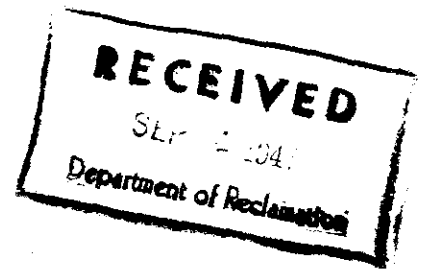
Thanking you, I am,

Very truly yours,

S. T. Hamilton

By *Marie Bas*
Secretary

STH:mnb



19651

June 17, 1947

Re: Permit No. 19651

Mr. Edward McCarty
Kimberly, Idaho

Dear Mr. McCarty:

We enclose Certificate of Completion of Works, issued under the above numbered permit to appropriate 0.8 second feet of the waters of Rock Creek, with point of diversion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 22, Township 11 South, Range 18 East, B.M., with priority of June 6, 1945, for irrigation and domestic use on the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 22, Twp. 11 South, Range 18 East, B.M., Twin Falls County.

We also enclose Departmental Receipt No. 20019 for the \$5.00 fee paid by you in connection with completion of works proof.

Very truly yours,

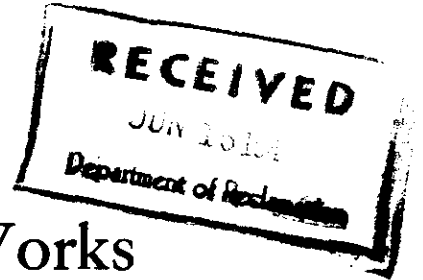
MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encls.

19651

Permit No. 19651

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Twin Falls

ss.

Edward McCarty, 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. 19651, and that his postoffice address is Kimberly

State of Idaho

Second: That the name of the stream from which said water is to be directed is Rock Creek

Third: That the point of diversion of said water is SE 1/4 NW 1/4 Section 22, Township 11 South, Range 18 E.B.M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by June 16, 1947, 19

Fifth: That the use for which said water is intended is Domestic Use and Irrigation

Sixth: That on the date above mentioned, the works constructed under said permit were ~~(see page 18)~~ fully completed and consisted of the following:I. Kind of works: Ditch, Sump, Pump and Pipe
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

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

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.

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

(d) Conduit ditch width at bottom two feet, width at water line four feet, depth of water one feet; diameter of pipe eight inches, average grade per mile is feet. Length of conduit is 600 feet.

Seventh: That said works are capable of conducting to the place of intended use 0.8 cu. ft. per second feet of water.

Eighth: That water appropriated under said permit is available for forty acres of land described as follows: The Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of Township Eleven (11) South, Range Eighteen (18) E.B.M.

Ninth: Remarks: That

Edward McCarty
(Sign here)

Subscribed and sworn to before me this 14th day of June, 1947

My commission expires

Notary Public.

19651

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Mr. Edward McCarty
C/o S. T. Hamilton
Twin Falls, Idaho

Boise, Idaho April 2, 1947

Dear Sir:-

Under the terms of your permit No. 19651 you are required to complete your diversion works on or before June 16, 1947. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

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

Yours truly,

MARK R. KULP

State Reclamation Engineer

19651

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 19651

Date June 20, 1945

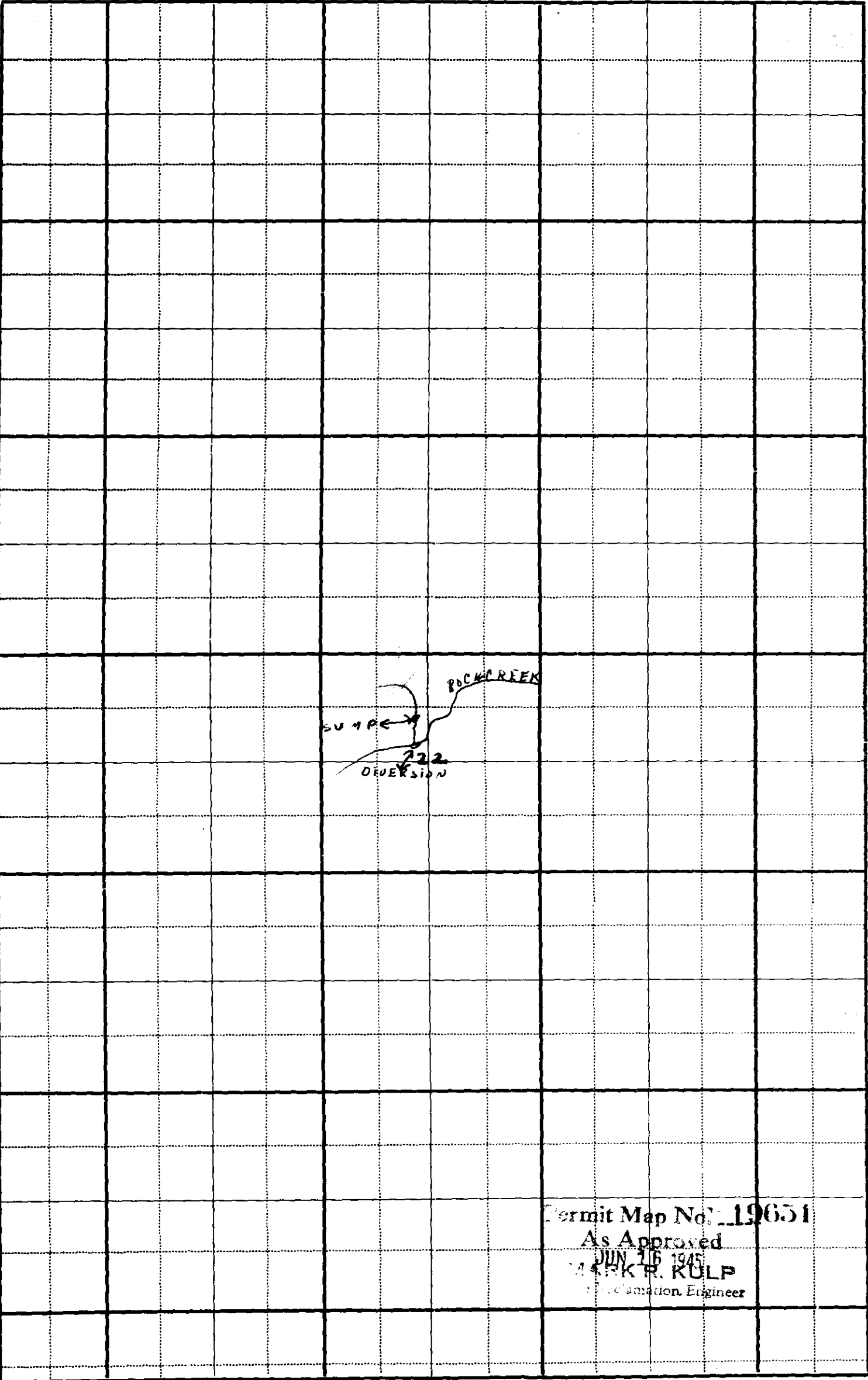
Dear Sir:

We enclose herewith the above numbered permit. BE SURE AND
NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of the
State Reclamation Engineer, on the fourth page.

Edward McCarty
C/o S. T. Hamilton
Twin Falls, Idaho
Enc. Receipt # 18895

MARK R. KULP
State Reclamation Engineer

19657



Permit Map No. 19651
As Approved
JUN 16 1945
MARK R. KULP
Registration Engineer

LAW OFFICES OF
S. T. HAMILTON
TWIN FALLS, IDAHO
June 5, 1945

Hon. Mark R. Kulp
State Reclamation Engineer
Boise, Idaho

Dear Mr. Kulp:

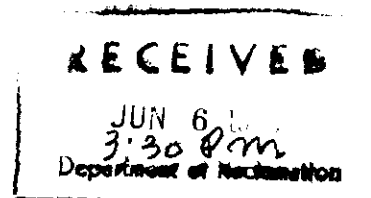
Herewith find Application for Permit,
Edward McCarty, diversion from Rock Creek
through pump. It is no apparent interfer-
ence with any other user.

Check \$5.00 filing fee enclosed.

Very truly yours

S. T. Hamilton

By *Elmer Sivers*



**NOTICE FOR PUBLICATION
NOTICE OF PERMIT OF APPLICATION
FOR BENEFICIAL USE**

Notice is hereby given that at 11:00 A. M. on the 14th day of June, 1952, at the office of Blandford & Blandford, Municipal Building, at Kimberly, County of Twin Falls, State of Idaho, before A. L. Blandford, a Notary Public, proof will be submitted of the application to beneficial use of 0.8 cubic feet per second of the waters of Rock Creek in accordance with the terms and conditions of Permit No. 19651 heretofore issued by the Department of Reclamation of the State of Idaho. 19651

The name and post office address of the person or corporation holding said permit are Edward McCarty, Route 2, Kimberly, Idaho.

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

The amount applied to beneficial use is 0.8 cubic feet per second.

The place where said water is used is the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 22, Township 11 South, Range 18 East Boise Meridian.

The right to take water from such works is based upon Permit No. 19651.

The source of supply from which such water is diverted is Rock Creek, with point of diversion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 22, Township 11 South, Range 18 East, B. M.

The date of priority which said user is prepared to establish is June 4, 1949.

5-16-52 MARK R. KULP,
State Reclamation Engineer.
(Pub. May 23, 30; June 6, 13, '52)