

NOTICE FOR PUBLICATION
(Notice of Proof of Application of Water to Beneficial Use)

Notice is hereby given that at 10 a. m. on the 29th day of June, 1918, at Kimberly, County of Twin Falls, State of Idaho, before Gladys Seidle, a notary public, proof will be submitted of the application to beneficial use of 1.23 cubic feet per second of the waters of Rock Creek and underflow wells, in accordance with the terms and conditions of Permits Nos. 7639, 9419, 9420, 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: Mrs. Cynthia G. Turner, Kimberly, Idaho.

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

3. The amount applied to beneficial use is 1.23 cu. ft. per second.

4. The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) SE $\frac{1}{4}$ NE $\frac{1}{4}$ and S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 29, and N $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 31, all in T. 11 S., R. 19 E., B. M.

5. The name of the canal or ditch or other works by which said water is conducted to such place of use is the R. O. E. Ditch Co.

6. The right to take water from such works is based upon Permits Nos. 7639, 9420, 9419.

7. The source of supply from which such water is diverted is Rock Creek and underflow wells.

8. The dates of the priority which said user is prepared to establish are May 1, 1913, and June 11, 1913.

FRED A. WILKIE,
State Engineer.

Affidavit of Publication

Nº 577

I, R. A. Read
Publisher of the
(Publisher or Foreman)

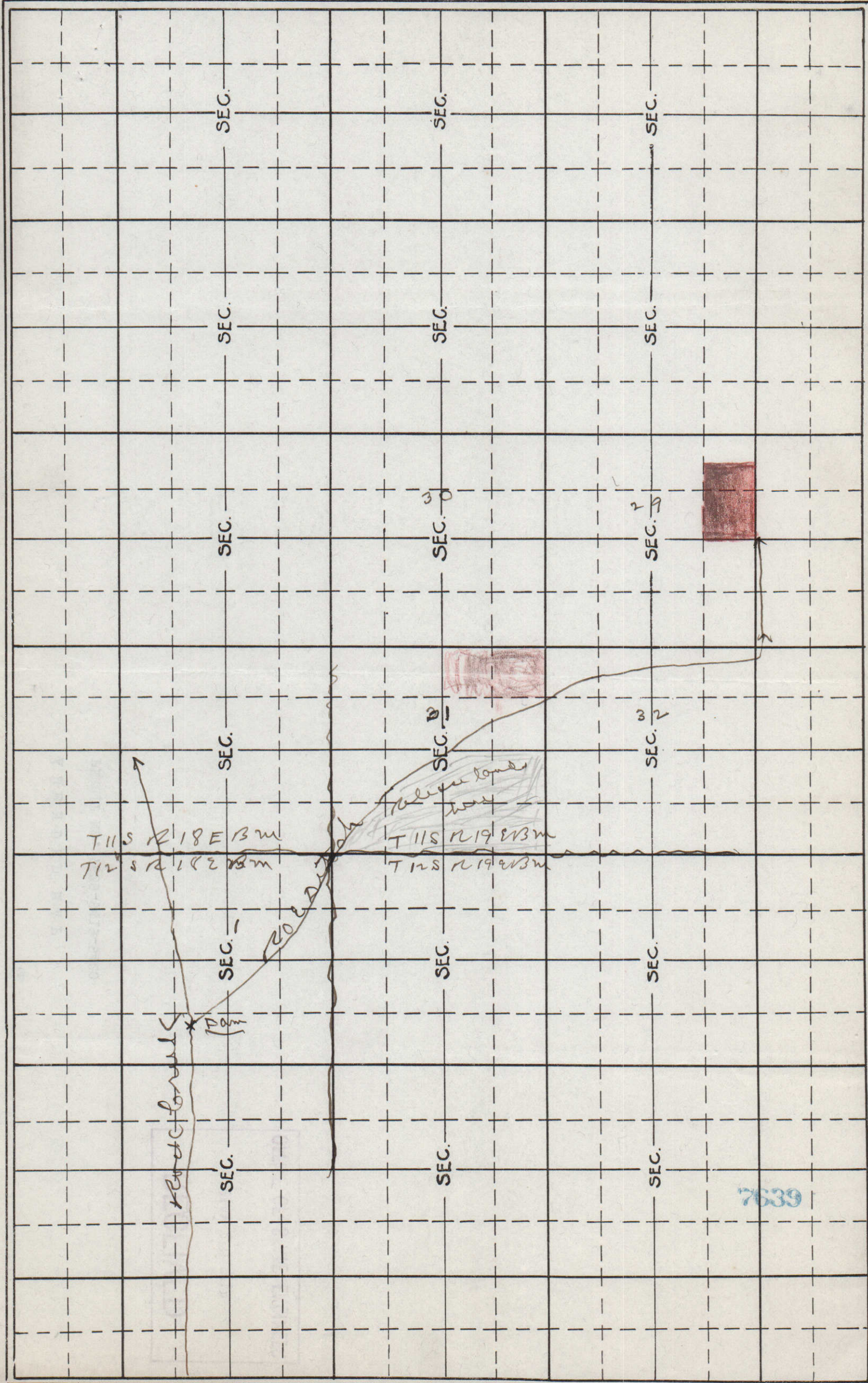
Twin Falls News, published weekly at Twin Falls, Idaho, do solemnly swear that a copy of the notice, as per clipping attached, was published weekly in the regular and entire issue of said newspaper and not in any supplement thereof, for 4 consecutive weeks, commencing with the issue dated May 30, 1918, and ending with the issue dated June 20, 1918.

Subscribed and sworn to before me this 21st
day of June, 1918

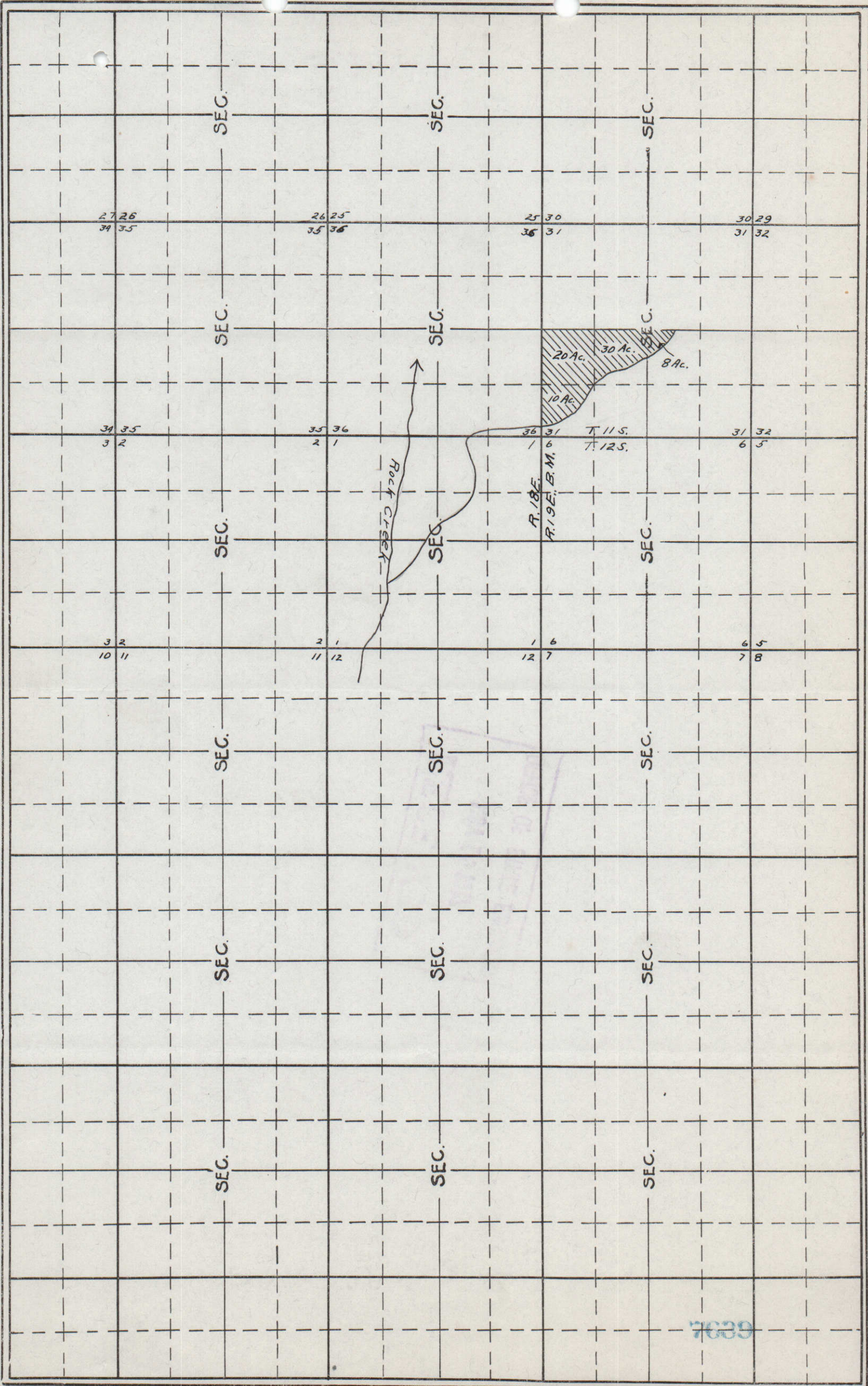
Arthur Harvey
Notary Public in and for the State of Idaho,
Residing at Twin Falls, Idaho.
(Official Designation)

7639

Name of Applicant Mrs. Cy THING. TURNER - 76 mberly, IDAHO.



Name of Applicant - Cynthia G. Turner - Permit 7639



7639

NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 10 a. m. on the 17th day of June, 1916, at Kimberly, County of Twin Falls, State of Idaho, before W. F. Breckon, notary public, proof will be submitted of the application to beneficial use of 2.4 cubic feet per second of the waters of Rock Creek, in accordance with the terms and conditions of Permit No. 7639, heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the persons holding said permit are Mrs. Cynthia G. Turner and E. W. Tilley, Kimberly, Idaho.

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

3. The amount applied to beneficial use is 2.4 cubic feet per second.

4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated): South half of Sec. 31, T. 11 S., R. 19 E., B. M., containing 120 acres; also W1-2 SE1-4 NE1-4 and S1-2 NE1-4 NE1-4 Sec. 30, and the S1-2 NW1-4 NW1-4 Sec. 29, T. 11 S., R. 19 E., B. M., Twin Falls County, Idaho.

5. The name of the canal or ditch or other works by which said water is conducted to such place of use is R. O. E. Ditch.

Affidavit of Publication No 223

I P. A. P. and of the
Publisher
(Publisher or Foreman)

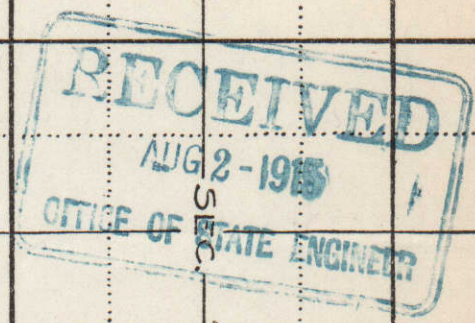
Twin Falls News, published weekly at Twin Falls, Idaho, do solemnly swear that a copy of the notice, as per clipping attached, was published weekly in the regular and entire issue of said newspaper and not in any supplement thereof, for four consecutive ~~issues~~ ..., commencing with the issue dated May 18 ..., 1916, and ending with the issue dated June 8 ..., 1916.

Subscribed and sworn to before me this 10 day of June ..., 1916.

7639

Arthur J. Fealey
Notary Public
(Official Designation)

Name of Applicant. *Mrs. Cynthia L. Turner Tammy John*



SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

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SEC.

SEC.

SEC.

SEC.

SEC.
36

SEC.
31

SEC.

T11 S 18 E 13 m

T12 S 18 E 13 m

T11 S 18 E 13 m

T12 S 18 E 13 m

SEC.

SEC.

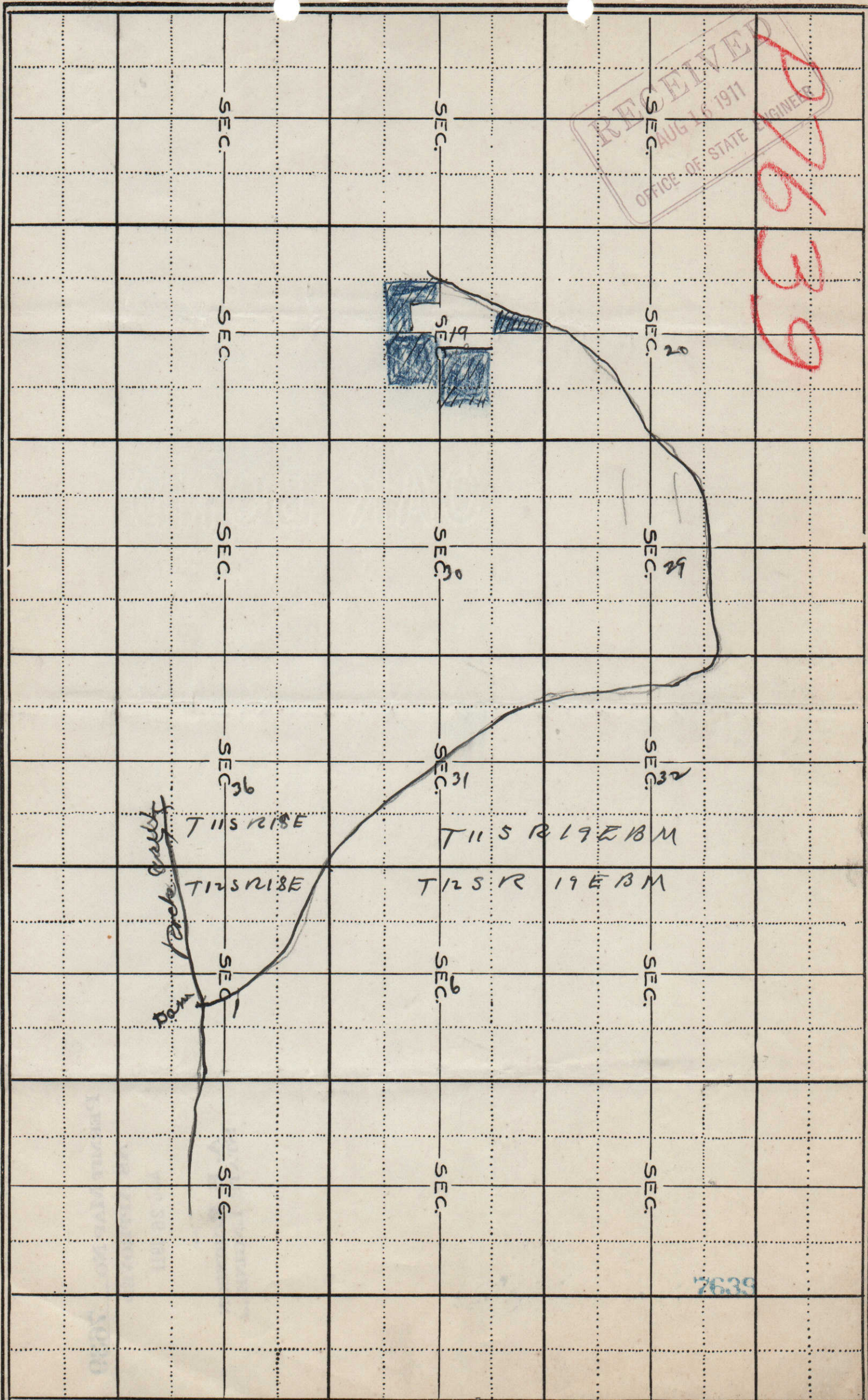
SEC.

*Point of diversion
to E. Det. co.*

7639

Name of Applicant

Wm H. Turner



County: Twin Falls.
Stream: Rock Creek.
Amount: .45 of 1 sec. ft.
Use: Irrigation.
Priority: 6-29-11.
District No. 30.

STATE OF IDAHO

Water License No. 7639
Water District No. 30

WHEREAS, On the 29th day of June, A. D. 1911, W. H. Turner

of Kimberly, County of Twin Falls, State of Idaho, duly made application (No. 10981) to me for a permit to use 2.4 cubic feet per second of the waters of Rock Creek in Water District No. 30, County of Twin Falls, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 26th day of August, A. D. 1911, Permit No. 7639 was issued to said applicant for the diversion of said water and providing for the completion of the works of diversion therein described on or before the 26th day of August, A. D. 1915, and for the application to beneficial use of said water on or before the 26th day of August, A. D. 1916, and,

WHEREAS, On the 8th day of June, A. D. 1915, there was received and filed for record in the State Engineer's office an assignment whereby Wm. H. Turner, transferred his right, title and interest in and to said permit to Cynthia G. Turner, and,

WHEREAS, On the 16th day of August, A. D. 1916, there was received and filed for record in the office of the State Engineer an assignment whereby Cynthia G. Turner transferred a 3/10 interest in and to said permit to E. W. Tilley, and,

WHEREAS, On the 23d day of July, A. D. 1915, Cynthia G. Turner and E. W. Tilley

the holder s of said permit, duly made proof of the completion of adequate works for the diversion of 2.4 cubic feet per second of said waters, as evidenced by my Certificate No. 7639 dated August 25, 1915, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 2.4 cubic feet per second of said water, with date of priority of June 29, 1911, and

WHEREAS, On the 17th day of June, A. D. 1916, Cynthia G. Turner and E. W. Tilley

the holder s of said permit, duly made proof of the application to beneficial use of .45 of 1 cubic foot per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to Cynthia G. Turner and E. W. Tilley

of Kimberly, County of Twin Falls, State of Idaho, the holder s and owners of said Permit No. 7639, a perpetual right, dating from June 29, 1911 to the use of .45 of 1 cubic foot per second of the waters of Rock Creek,

in the County of Twin Falls and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in the NE $\frac{1}{4}$ of SW $\frac{1}{4}$, of Sec. 1, T. 12 S., R. 18 E., B. M.,

and conducted to and upon 58 acres of land, divided as follows: 20 acres in Lot 3, 10 acres in Lot 4, 30 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, and 8 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, T. 11 S., R. 19 E., B. M.,

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

WITNESS My hand and the seal of my office at Boise, Idaho, this 20th day of December, A. D. nineteen hundred and seventeen.

J. H. SMITH,

(Seal)

State Engineer.

47-2484
45-3106

45-2106

No. 10981.

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of Applicant: Wm. H. Turner.

Postoffice address: Kimberly.

County: Twin Falls, State: Idaho.

2. The quantity of water claimed is 2.4 cubic feet per second.

3. Source of water supply: Rock Creek.

4. Location of point of diversion: NE4 of SW4 Sec. 1, T. 12 S. R. 18 E. B. M. (same as permit #3095)

County of Twin Falls.

5. To be used for: Irrigation & Domestic.

I. Irrigation and Domestic. use.

(a) Amount of land to be irrigated: 120 acres.

(b) In the following legal subdivisions: 30A. on SE4 NW4, 10 a. on SE4 NE4, 30 A. on NW4

SE4, 10 A. on SW4 SE4, 40A. on NE4 SW4 Section Nineteen (19) Township Eleven (11)

S. R. Nineteen (19) E. B. M.

6. Estimated cost of works: \$500.

7. Description of works for diversion:

I. Kind of works: Dam & ditch.

II. Dimensions of works:

(a) Height of dam 8 feet, length of dam at top 50 feet, length of dam at bottom 25 feet.

Material used in construction: wood, earth & some stone.

(c) Size of headgate: Width 8 feet, height 4 feet.

(d) Conduit Ditch, width at bottom 6 feet, width at water line 9 feet, depth of water

3 feet. Average grade per mile is $2\frac{1}{2}$ feet. Length of conduit is six miles and

it crosses the following quarter sections: NE4 and SE4 Sec. 1 T. 12 S. R. 18 E.

SW4 & NE4 Sec. 31 T. 11 S. R. 19 E. NW4 Sec. 32 & NE4 Sec. 32, T. 11 S. R. 19 E.

SE4 & NE4 Sec. 29 T. 11 S. R. 19 E. SW4 Sec. 20, & NE4 Sec. 19 T. 11 S. R. 19 E.

B. M.

8. The time required for the completion of the construction of such work is 4 years.

9. Time required for the complete application of the water to the proposed use is one additional year.

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.

Wm. H. Turner,

Applicant.

APPROVAL OF STATE ENGINEER.

The number of this permit is 7639.

Date of first receipt at office of State Engineer: 9.00 a.m. June 29, 1911.

Returned to applicant for correction: July 1, 1911.

Corrected application received: August 16, 1911.

Recorded in Book 24 Page 7639 Approved August 26, 1911.

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:

Work to begin on or before October 25, 1911 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 August 26, 1913.

The whole of said work to be completed on or before August 26, 1915.

Beneficial use of water appropriated in accordance herewith, to be made on or before August 26, 1916.

Witness my hand this twenty-sixth day of August, 1911

A. E. Robinson,

State Engineer.

Kimberly, Idaho,

ASSIGNMENT OF WATER RIGHT.

For and in consideration of the sum of one and no/100 dollars (\$1) the receipt of which I hereby acknowledged, I hereby assign, transfer and set over to Cynthia G. Turner, all my right, title, claim and interest of in and to one hundred forty (140) inches of the water appropriated in the water permit #9420 and #9419 and #7639.

Dated this 10th day of April, 1915.

W. H. Turner,
Kimberly, Idaho.

State of Idaho,)
 + ss.
County of Twin Falls.)

Acknowledged before me this 4th day of June, 1915.

W. F. Breckon,

Notary Public.

Received and filed for record in the office of the State Engineer of the State of Idaho, at Boise, Idaho, at 9:00 A. M. June 8, 1915.

J. H. Smith,
State Engineer.

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. 7639.

Comes now Mrs. Cynthia G. Turner, and represents to the State Engineer of the State of Idaho,

That she is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 7639, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows: Part of the south half of Sec. 31, T. 11 S. R. 19 E. B. M. (The S $\frac{1}{2}$ Sec. 31, being a fraction, and containing 280 acres). It is intended that #9420, 7639, and my part of #9419, shall all apply to the S $\frac{1}{2}$ Sec. 31, T. 11 S. R. 19 E. B. M., making a total of 120 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Kimberly, Ida., this 31 day of July, 1915.

MRS. CYNTHIA G. TURNER.

Date of receipt at Office of State Engineer Aug. 2, 1915.

APPROVAL OF STATE ENGINEER.

I, J. H. Smith, State Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 7639. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Witness my hand this 3rd day of August, 1915.

J. H. SMITH,
State Engineer.

(See assignment to E. W. Tilley recorded under Permit No. 9420.)

(See Amendment recorded under Permit No. 9420).

7639
Proof of completion of works made July 23, 1915.
Certificate of completion of works issued Aug. 25, 1915.

Permit No. 7639.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:

This is to certify that Cynthia G. Turner and E. W. Tilley, of Kimberly, County of Twin Falls and State of Idaho, the holders of Permit No. 7639, issued upon Application No. 10981, bearing date of priority of June 29, 1911, authorizing the diversion of 2.4 second feet of the waters of Rock Creek, County of Twin Falls, State of Idaho, for irrigation and domestic purposes, have 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 2.4 second feet of the waters of Rock Creek; that the point of diversion of said waters is in the NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 1, T. 12 S., R. 18 E. B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: South half (S $\frac{1}{2}$) Section 31, T. 11 S., R. 19 E. B. M., containing 120 acres; also, W $\frac{1}{2}$ of SE $\frac{1}{4}$ of NE $\frac{1}{4}$, and S $\frac{1}{2}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 30, and the S $\frac{1}{2}$ of NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 29, in T. 11 S., R. 19 E. B. M.

Witness my hand this 25th day of August, A. D. 1915.

J. H. Smith,

State Engineer of the State of Idaho.

License issued for 48 cfs, second
Page 2202

TRANSFER OF 60 INCHES OF WATER UNDER PERMIT 7639.

BE IT KNOWN That I hereby transfer and convey to E. W. Tilley, of Rock Creek, Idaho, three tenths (3/10) interest in ditch, right of way, dam, flume and water right thereunto belonging or appurtenant under permit #7639 the above includes its rights and privileges in the R. O. E. ditch as now constructed and operated out of Rock Creek, Twin Falls County, Idaho. This transfer is made for and in consideration of \$1.00 and other considerations paid by said Tilley, Receipt of which is hereby acknowledged,

Said transfer is made from the land described as follows; The NE $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 19-Twp 11 South Rang_ 19 E. B. M.

To the following described land to-wit: 40 inches to the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 30 Twp. 11 South R. 19 E. B. M. and 20 inches to NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of 29 T. 11 S. R. 19 E. B. M.

Said transfer is to convey 60 inches of water or 1.2 cubic feet per second of water-out of Rock Creek at the point of diversion described in permits #3095 and 7639 being all at the same point.

In witness whereof I have hereunto set my hand and seal this 19 day of September A. D. 1914.

W. H. Turner.

7639

State of Idaho)
County of Twin Falls) SS.

On this 19th day of September 1914, before me W. F. Breckon, a Notary Public in and for said County, Personally appeared W. H. Turner, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same,

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

W. F. Breckon,
Notary Public.

(SEAL). My Commission expires May 25th, 1918.

Received and filed for record in the office of the State Engineer at Boise, Idaho, at 9.00 A. M. Mar. 20, 1917.

J. H. Smith,
State Engineer.

APPLICATION FOR AMENDMENT

TO PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO, NO. 7639.

Comes now E. W. Tilley, and represents to the State Engineer of the State of Idaho, That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 7639, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30, S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 29, T. 11 S., R. 19 E. B. M., making a total of Sixty acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Boise, Ida., this 23 day of March, 1917.

E. W. Tilley,
by W. H. Turner, Agent.

Date of receipt at Office of State Engineer March 23, 1917.

APPROVAL OF STATE ENGINEER.

I, J. H. Smith, State Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 7639. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Witness my hand this 23rd day of March, 1917.

J. H. Smith, State Engineer.

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO NO. 7639 and 9419--9420

Comes now Mrs. Cynthia G. Turner, and represents to the State Engineer of the State of Idaho,

That she is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 7639, 9419, 9420, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

The southeast quarter ($SE\frac{1}{4}$) of the northeast quarter ($NE\frac{1}{4}$) and south half ($S\frac{1}{2}$) of northeast quarter ($NE\frac{1}{4}$) of northeast quarter ($NE\frac{1}{4}$), all in Section twenty-nine (29) T. Eleven (11) south Range nineteen (19) east Boise Meridian-- (only the unused portion of above permits to be used on said land described above-- amounting to 1.23 cu. ft. per second) Also, $N\frac{1}{2}NE\frac{1}{4}$ Sec. 31 T. 11 S. R. 19 E.B.M. for balance of water, making a total of sixty (60) acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Kimberly, Ida., this 1st day of May, 1918.

MRS. CYNTHIA G. TURNER

Date of receipt at office of State Engineer May 10th, 1918.

APPROVAL OF STATE ENGINEER

I, Fred A. Wilkie, State Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permits to appropriate the Public Waters of the State of Idaho, Nos. 7639-9419-9420. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

WITNESS my hand this 10th day of May, 1918.

FRED A. WILKIE, State Engineer.

October 16, 1941

Re 7639

Mr. Frank L. Stephan
Twin Falls, Idaho

Dear Mr. Stephan:

We wish to acknowledge receipt of your letter of October 14th. and will endeavor to answer same in the absence of Mr. Powell.

Our records concur with your statement in regards to State Water License number 3095. Our records also show your statement correct as to water transfer certificate number 169.

Relative to permit number 7639, you ask us to check our records to ascertain if a transfer had been made whereby part of the water--2.4 cubic feet--filed on in said permit may have been transferred to some one else. Our records disclose that Certificate of Completion of Works was issued the applicant for 2.4 cubic feet per second. However, at the time Beneficial Use proof was made, following the Completion of Works, applicant could not prove that water was beneficially used on more than $22\frac{1}{2}$ acres. Therefore, at one inch per acre, license was issued for .45 cubic feet per second instead of the total amount of 2.4 cubic feet per second filed on.

We are enclosing, upon your request, a certified copy of permit number 13829. In Mr. Powell's letter of the 10th, he inferred that Beneficial Use proof had been made on said permit, which is not the case. Beneficial Use proof was never made.

Records show that Beneficial Use proof was extended to December 16th, 1925. Provided that Beneficial Use proof is made, priority date would be advanced the number of years that proof is late.

Hoping that we have given you the required information, we are,

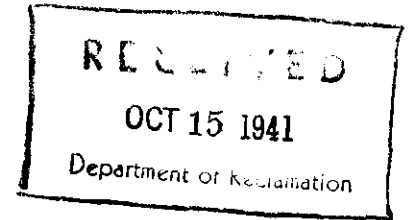
Very truly yours,
E. V. BERG.
Commissioner of Reclamation.

BY: ROY A. THOMPSON
Deputy Commissioner.

RWT:ml.

7639

FRANK L. STEPHAN
ATTORNEY AT LAW
TWIN FALLS BANK AND TRUST CO. BUILDING
TWIN FALLS, IDAHO



October 14, 1941

HONORABLE E. V. BERG
Commissioner of Reclamation
Capitol Building
Boise, Idaho

Dear Mr. Berg:

Attention: Mr. R. E. Powell,
Supervisor of Water Distribution

I wish to acknowledge receipt of your letter of October 10th regarding the records disclosing water rights from Rock Creek appurtenant to the W. H. Turner lands in Twin Falls County. Water license numbered 3095 was issued to W. H. Turner and others September 12, 1911, and under said license W. H. Turner was authorized to use 20 inches of Rock Creek water on the SW $\frac{1}{4}$ NE $\frac{1}{4}$, 10 inches on the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and 10 inches on the NW $\frac{1}{4}$ SE $\frac{1}{4}$ in Section 19, Township 11 South, Range 19, East of the Boise Meridian. I have the water license issued by A. E. Robinson, who was then State Engineer.

Under date of November 10, 1915, Mr. J. H. Smith, State Engineer, issued to William H. Turner certificate numbered 169 authorizing him to transfer the 40 inches of water hereinabove described from the lands hereinabove described to the following described lands, to-wit:

NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30, Township 11 South, Range 19, East of the Boise Meridian,

said water to be diverted at a point in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1, Township 12 South of Range 18, East of the Boise Meridian.

The certificate which I have appears to have been issued by the State Engineer's office and is certified to by W. G. Swendsen, Commissioner of Reclamation, under date of January 12, 1922. Accordingly, I seem to have sufficient records to show that the water and water right hereinabove described may be used upon the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30, Township 11 South, Range 19, East of the Boise Meridian.

HONORABLE E. V. BERG

-2-

October 14, 1941

Under date of December 20, 1917, J. H. Smith, State Engineer, issued water license numbered 7639 which gave and granted to Cynthia G. Turner and E. W. Tilley the right to divert and use 2.4 cubic feet per second of the waters of Rock Creek as evidenced by certificate numbered 7639, dated August 25, 1915. *7639 - 11/25/17 - 11/25/17*

Under and by virtue of said licenses the Turners were authorized to use water on 20 acres in Lot 3, 10 acres in Lot 4, 30 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 8 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, Township 11 South, Range 19 East of the Boise Meridian and the amount of water appear to have been .45 of one cubic foot. The instrument hereinabove referred to is the original issued by Mr. Smith, State Engineer and I fail to find any record showing that the Turners transferred any part of that water to any other person or persons. Accordingly, I will appreciate it if you will check your records to ascertain if a transfer has been made to anyone else. *11/25/17 - 11/25/17*

I will appreciate it very much if you will forward to me a certified copy of permit numbered 13829 giving the Turners the right to use 7.2 cubic feet of the waters of Rock Creek. I am enclosing herewith my check for \$1.50 which you say will cover the cost of preparing a certified copy.

Thanking you, I am

Very truly yours

Frank L. Stephan

Frank L. Stephan

FLS:LF
Enc: 1

7639

October 10, 1941

Mr. Frank L. Stephan, Attorney
Twin Falls Bank & Trust Building
Twin Falls, Idaho

Dear Mr. Stephan:

In regard to the information you requested in your letter of October 3, I do not find any water decreed to Wm. H. Turner for the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 30, Township 11, Range 19 or E $\frac{1}{2}$ SW $\frac{1}{4}$ and Lots 3 and 4 of Section 31, Township 11, Range 19. However, there is a permit on record in our permit files, which is as follows:

Permit No. 13,829 for these two tracts of land. Beneficial proof was not made. Time expired December 16, 1922. This filing was for 7.2 cubic feet per second of the waters of Rock Creek and was filed on November 29, 1918.

We can furnish you a certified copy of the above enumerated permit for \$1.50, which will include every transaction, including completion of works - permit number, applicant, amount claimed, diversion, proof of completion of works and beneficial use.

Trusting this is the information you desire, we are

Very truly yours,

E. V. BERG
Commissioner of Reclamation

By: R. E. POWELL
Supervisor of Water Distribution

REP:dbj

7633

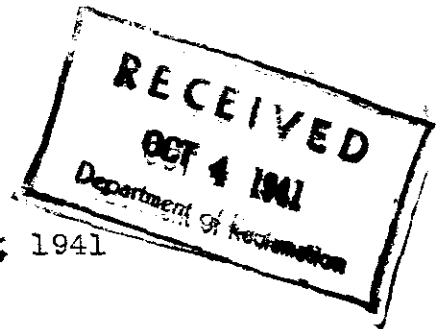
J. H. BLANDFORD
ASSOCIATE

FRANK L. STEPHAN

ATTORNEY AT LAW

TWIN FALLS BANK AND TRUST CO. BUILDING

TWIN FALLS, IDAHO



October 3, 1941

HONORABLE E. V. BERG
Commissioner of Reclamation
Capital Building
Boise, Idaho

Dear Mr. Berg:

I represent Mrs. Cynthia G. Turner, the widow of William H. Turner, deceased, and the Administratrix of the estate of W. H. Turner, deceased, in a suit now pending in the District Court here at Twin Falls for an adjudication of certain waters of Rock Creek which supplies water to two tracts of land owned by Mrs. Turner and the William H. Turner estate. The two tracts of land are:

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 30-11-19 Twin Falls County, Idaho;

E $\frac{1}{2}$ SW $\frac{1}{4}$ and Lots 3 and 4 of Sec. 31-11-19 Twin Falls County, Idaho.

The trial of the case is set for November 3d and I am interested in getting the evidence in shape for trial prior to that date. Accordingly, I would like to have your Department furnish to me such data as can be taken from your records showing what water right is appurtenant to the two above described tracts. I have very little idea how complicated or how extensive such record will be but I will appreciate hearing from you at your early convenience concerning the matter.

I might suggest that if you can give me an outline of what your record shows as to appropriations, permits and transfers I can then advise you promptly as to the copies which I will have to have from your office.

Very truly yours,

Frank L. Stephan
Frank L. Stephan

7639

*File 555
" 161
" 153
Permit No. 13829 to
W.H.T. G. Turner
Not Rejected*

*Beneficial use 1941 to
before Dec. 16, 1922
ant H.R. C.P.S.
Date filed 11-29-18*

FLS:p

April 13, 1935

Re: Permits No. 7639 & No. 13829

MR. R. P. PARRY,
Attorney at Law,
Twin Falls, Idaho

Dear Mr. Parry:

In response to your letter of April 6th, I have made an examination of the records of this department and find that Permit No. 13829 was issued to include the NE¹₄ of NE¹₄ NE¹₄, Section 29, T. 11 S., R. 19 E., B. M. Proof of completion of works was made within the time required and a certificate of completion of works was issued thereunder. Proof of application of water to beneficial use was due, as provided by an extension of time, on December 26, 1935, but to date it has not been made. You, no doubt, are familiar with the law concerning cases where final proof is not made within the time required and thus realize that failure to offer such proof is not sufficient cause to cancel a permit but merely results in a loss of priority. If the permit holder is applying this water to beneficial use at the present time and has been doing so for the past several years, I see no objection to proof being offered at the present time.

Permit No. 7639 consists of rather a lengthy record, three amendments having been made since the date of its issuance to May 1st, 1918. The first amendment was made on July 31, 1915, the second on March 23, 1917, and the final one was dated May 1, 1918. This last amendment included the SE¹₄ NE¹₄ & S¹₂ NE¹₄ NE¹₄, Section 29, T. 11 S., R. 19 E. Final proof was made and a license issued for 0.45 of 1 cubic foot of water per second but the license does not include the land in question. It applies only to a portion of the following subdivisions: Lots 3 and 4, NE¹₄ SW¹₄ and NE¹₄ SE¹₄, Section 31, T. 11 S., R. 19 E., B. M.

If there is any further information you desire in connection with either of these permits, we shall be glad to furnish it upon being advised to that effect.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

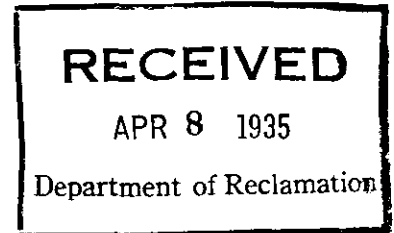
PLH/rg

7639

WALTERS, PARRY AND THOMAN
ATTORNEYS AT LAW
FIRST NATIONAL BANK BUILDING
TWIN FALLS, IDAHO

E. A. WALTERS
R. P. PARRY
J. P. THOMAN
J. R. KEENAN

April 6, 1935.



State Department of Reclamation,
Boise, Idaho.

Re: Permits Nos. 7639 and 13829, Water Dist.
30--Rock Creek, Twin Falls, Idaho.

Gentlemen:

I am interested in ascertaining whether Permit 13829 affords a water right for any part of the E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 29-11-19, and also what the present status of this permit is. My information is that this permit originally included the NE $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ of that section.

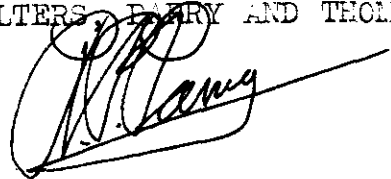
I am also interested whether Permit 7639 affords any water right for the E $\frac{1}{2}$ NE $\frac{1}{4}$ of said section, and the present status of this last mentioned permit.

I have found the files here, and "Application for Amendment" dated May 1, 1918 and signed May 10, 1918, by Fred H. Wilkie, State Engineer, which apparently amends Permit 7639 so as to make it include the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and the S $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ in Sec. 29-11-19. This amendment recites that it is an amendment to Permits "Nos. 7639--9418--9420".

I am wondering if your records show that this specific amendment was made to Permit 7639. Also please advise me in detail the present status of this permit.

Very truly yours,

WALTERS, PARRY AND THOMAN

By 

RFP:N.

7639

NOTICE FOR PUBLICATION
(Notice of Trust or Application of Water to Beneficial Use)

Notice is hereby given that at 10 a.m. on the 30th day of June, 1918, at Kimberly, County of Twin Falls, State of Idaho, before Gladys Seidl, a notary public, proof will be submitted of the application to beneficial use of 1.23 cubic feet per second of the waters of Rock Creek and underflow wells, in accordance with the terms and conditions of Permits Nos. 7639, 9419, 9420, 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: Mrs. Cynthia G. Turner, Kimberly, Idaho.

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

3. The amount applied to beneficial use is 1.23 cu. ft. per second.

4. The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) SE $\frac{1}{4}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 29, and NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 31, all in T. 11 S., R. 19 E., B. 24.

5. The name of the canal or ditch or other works by which said water is conducted to such place of use is the R. G. M. Irrig. Co.

6. The right to take water from such works is based upon Permits Nos. 7639, 9420, 9419.

7. The source of supply from which such water is diverted is Rock Creek and underflow wells.

8. The dates of the priority which said water is prepared to establish are May 1, 1918, and June 11, 1918.

FRANK A. WILKIN,

State Engineer.

Affidavit of Publication

No. 577

I, R. A. Read
Publisher of the
(Publisher or Foreman)

Twin Falls News, published weekly at Twin Falls, Idaho, do solemnly swear that a copy of the notice, as per clipping attached, was published weekly in the regular and entire issue of said newspaper and not in any supplement thereof, for 4 consecutive weeks, commencing with the issue dated May 30, 1918, and ending with the issue dated

June 20, 1918 Read

Subscribed and sworn to before me this 21st day of June, 1918

Arthur Claver

Notary Public in and for the State of Idaho,

Residing at Twin Falls, Idaho.
(Official Designation)

7639

July 2nd, 1918.

Re Permits 7639-9419-9420.

Mr. W. H. Turner,
Kimberly, Idaho .

Dear Sir:--

Am in receipt of depositions for proof of beneficial use of water under above permits. In looking over these, I find that only deposition of the holder has been taken for 9419 and 9420. It will be necessary to have a deposition for each of these proofs. I accordingly return the combined deposition, with fresh blanks upon which to file other depositions. Am also returning licenses issued under Permits 9419-9420.

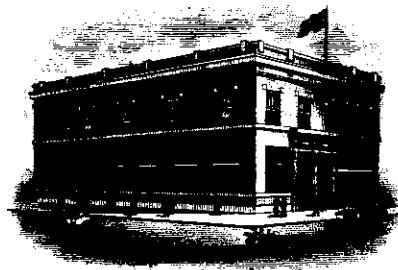
Very truly yours,

FRED A. WILKIE,

State Engineer.

D-2L-BBU

By_____



BANK OF KIMBERLY

CAPITAL AND SURPLUS OVER \$45,000.00

STATE BANK AND DEPOSITARY

HENRY JONES, PRESIDENT
H. P. LARSEN, VICE PRESIDENT
W. H. TURNER, CASHIER
GARL RIDGEWAY, ASST. CASHIER

KIMBERLY, IDAHO

July 1, 1918.

State Engineer,

Boise, Idaho,

Dear Sir :- Enclosed you will find papers relating to the proof of water for Mrs. Cynthia G. Turner.

Please advise us as to the fee due and we will forward same at once. Thanking you, I am

Yours very truly,

W. H. Turner

7039

RECEIVED

JUL 2 1913

OFFICE OF STATE ENGINEER

PERMIT No. 7639**Proof of Application of Water to Beneficial Use****DEPOSITION OF HOLDER**

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

Ans. Mrs. Cynthia G. Turner, aged 38, Kimberly, Idaho, (housewife)

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

Ans. _____

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

Ans. Permit #7639, June 29, 1911.

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

Ans. Rock creek, diverted in NE $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec 1, T 12 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.

Ans. Dam and ditch from Rock creek, capable of carrying 1000
inches of water, known as the Romig-Osborne-Elliott ditch.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. Sixty acres on the south part of
E $\frac{1}{2}$ NE $\frac{1}{4}$ Sec 29, T 11S R 19 E.B.M. and about 80 acres in NE $\frac{1}{4}$ Sec
31 T 11S R 19 E.B.M.

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. One inch 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. Transferred from W.H. Turner June 4, 1915.

7639

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

Ans. Spring & summer of 1918 by irrigating crop of wheat full amount
of water#### used on about 140 acres

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.

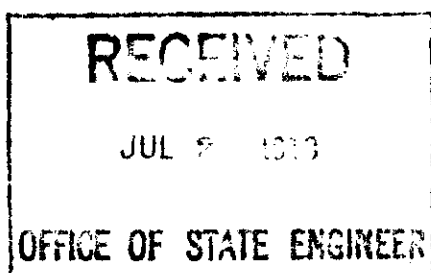
Ans. _____

(Sign) Mrs. Cynthia G. Turner

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe ^{her} ~~him~~ to be the person ^{she} ~~he~~ represents ^{him} ~~her~~ self 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 29th day of June A. D. 1918.

Gladys Seidle
Notary Public.

7630



Permit No. 7639

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. W. Webster aged 58 Kimberly Idaho, farmerQues. 2. Are you acquainted with Mrs. Cynthia G. Turner, the holder of Permit No. 1639? How long have you known ~~him~~ her and where does ~~he~~ she reside?Ans. Yes, Twelve years, resides in Kimberly, Idaho.Ques. 3. Have you read or heard read said Permit No. 1639 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. Rock Creek, diverted from Rock creek in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 1, T 12 S R 18 E.B.M. Dam and ditch to land watered.

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. 20 to 25, and have seen that much.

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. About 60 acres in the south part of E $\frac{1}{2}$ NE $\frac{1}{4}$ Sec 29, and about 80 acres in NE $\frac{1}{4}$ Sec 31, T 11S R 19 E.B.M.

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. Good volcanic ash farm land, one inch per acre.

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

Ans. None

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

Ans. Spring and summer of 1918, saw land irrigated after being
sowed to wheat crop.

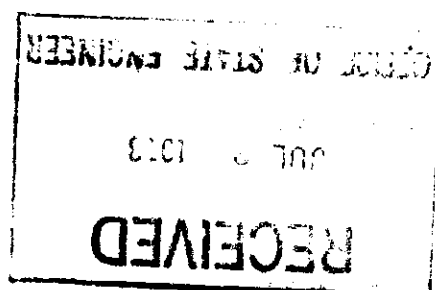
(Sign) Dr. Webster

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 29th day of June A. D. 1918.

Gladys Seidle
Notary Public.

My commission expires May 14, 1922.

7639



Permit No. 7639

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. E.W. Tilley, aged 48 Kimberly, Idaho, Jeweler.Ques. 2. Are you acquainted with Mrs. Cynthia G. Turner, the holder of Permit No. 7639? How long have you known her and where does she reside?Ans. Yes, Known her 12 years, resides in Kimberly, IdahoQues. 3. Have you read or heard read said Permit No. 7639, 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. Rock creek, diverted in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 1, T 12 R. R 18 E.B.M.Dam and ditch out of Rock creek to land watered.

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. About 20 to 24 . Have seen that amount.

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. About 60 acres on south part of
E $\frac{1}{2}$ NE $\frac{1}{4}$ Sec 29 and about 80 acres on NE $\frac{1}{4}$ Sec 31, T 11S R 19 E.B.MLand sowed in wheat and irrigated.

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. Good volcanic ash farm land, one inch per acre.

7639

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

Ans. none

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

Ans. In year 1918, saw land watered while planted to wheat.

(Sign)

E. W. Tiller

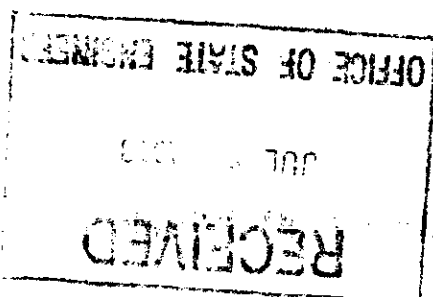
I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Kimberly, County of Twin Falls, State of Idaho, on this 29th day of June, A. D. 19 18.

Gladys Seidler

Notary Public.

My commission expires Nov 14, 1922.

7639



STATE OF IDAHO
ENGINEERING DEPARTMENT

F. P. KING,
STATE ENGINEER

BOISE

INSTRUCTIONS
PROOF OF BENEFICIAL USE

Cynthia G. Turner,
c/o Gladys Seidle,
Kimberly, Idaho.

BOISE, IDAHO, **June 12, 1918.**

DEAR ~~SIR:~~ **Madam;**

I enclose herewith the following forms to be used in connection with proof of application of water to beneficial use under your Permit No. **7639**

DEPOSITION OF PERMIT HOLDER,

DEPOSITIONS OF TWO WITNESSES.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of your rights:

1. On ~~June 29th, 1918~~, the date set for the proof of application of water to beneficial use, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to, at **Kimberly, before Gladys Seidle, N.P.**

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice and fee of \$2.00 for each 40-acre tract, or fraction, to which water has been applied. When these have been received together with report of examining engineer, if everything is properly executed, License will issue.

Yours truly,

Fred A. Wilkie, ~~XXXXXXXXXX~~ **F. P. KING,**
State Engineer.

7639

(P. O.)

Tu. Falls Idaho

(Date)

May 28, 1918

State Engineer, Boise.

Dear Sir:

I have your letter of May 25 enclosing Notice of Proof
of ~~Completion of Works and~~ Beneficial Use of Water under Permit No. 7639 ^{9419, 9420} which
will be published as you request, beginning with our issue of May 30

Twin Falls News

John Simq

7639

RECEIVED

MAY 31 1918

OFFICE OF STATE ENGINEER

**Twin Falls
News**
Twin Falls, Ida

May 29, 1918.

Mr. Fred A. Wilkie,
State Engineer,
Boise, Idaho.

Dear Mr. Wilkie:

We thank you for your order
of May 25th for publication of
legal notice for W. H. Turner,
of Kimberly. This will be
given our careful attention.

With best regards, I remain

Yours very truly

John J. Sims

HMS:AL

Manager

RECEIVED

MAY 31 1918

RECEIVED

MAY 31 1918

OFFICE OF STATE ENGINEER

RECEIVED

MAY 31 1918

7639

May 25, 1918.

Re Permits 7639-9419-9420.

Mr. W. H. Turner,
Kinberly, Idaho.

Dear Sir:--

Replying to yours of the 20th, enclosing
notices for additional proof under above permits, would
say that I have set June 29th as date for making proof
and a combined notices has today been mailed to the
Twin Falls News. Deposition blanks will be mailed to
the notary public later.

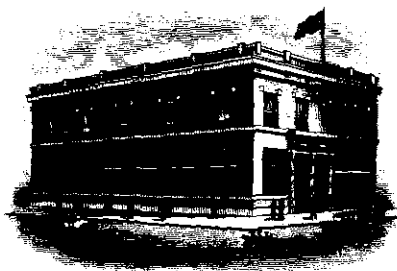
Very truly yours,

FRED A. WILKIE,

State Engineer.

By_____

7639



BANK OF KIMBERLY

CAPITAL AND SURPLUS OVER \$45,000.00

STATE BANK AND DEPOSITARY

HENRY JONES PRESIDENT
H.P. LARSEN VICE PRESIDENT
W.H. TURNER, CASHIER
GARL RIDGEWAY, ASST. CASHIER

KIMBERLY, IDAHO

May 20, 1918.

State Engineer,

Boise, Idaho,

Dear Sir :- Enclosed you will find notices. Please fill in the dates to comply with the law - making same as soon as legal.

Thanking you, I am

Yours very truly,

Mrs. Cynthia G. Turner

by *W. H. Turner*

7600

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) May 20, 1916.

(P. O.) Kimberly, Idaho,

To the State Engineer,
Boise, Idaho.

Dear Sir:

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

Mrs. Cynthia G. Turner

by W. J. Turner

(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.

2639

June 1 /
Peris-30

NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 10 a. m. on the 29th day of June, 1918,
 at Kimberly, County of Twin Falls State of Idaho,
 before Gladys Seidle Notary Public,
 proof will be submitted
 of the application to beneficial use of ~~###~~ 1.23 cubic feet per second of the
 waters of Rock Creek in accordance with the terms and conditions of
 Permit No. 7639 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-----

Mrs. Cynthia G. Turner, Kimberly, Idaho.

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

3. The amount applied to beneficial use is 1 .23

4. The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) SE $\frac{1}{4}$ NE $\frac{1}{4}$ and S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec.29; and N $\frac{1}{2}$ NE $\frac{1}{4}$ Sec.31, all in

T 11S, R 19 E.B.M.

5. The name of the canal or ditch or other works by which said water is conducted to such place of use
 is R.O.E. Ditch Co.

6. The right to take water from such works is based upon Permit No. 7639

7. The source of supply from which such water is diverted is Rock Creek

8. The date of the priority which said user is prepared to establish is June 29, 1911.

Fred A. Wilkie,

State Engineer

NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 10 a. m. on the 29th day of June, 1918,
 at Kimberly, County of Twin Falls State of Idaho,
 before Gladys Seidle, a notary public, proof will be submitted
 of the application to beneficial use of 1.23 cubic feet per second of the
 waters of Rock Creek and underflow wells in accordance with the terms and conditions of
 Permit No. 7639-9419-9420 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
Mrs. Cynthia G. Turner, Kimberly, Idaho.
2. The use to which said water has been applied is irrigation and domestic use.
3. The amount applied to beneficial use is 1.23 cu.ft. per second.
4. The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) SE $\frac{1}{4}$ NE $\frac{1}{4}$ and S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29 and NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 31, all in
T. 11 S., R. 19 E., B.M.
5. The name of the canal or ditch or other works by which said water is conducted to such place of use is the R. O. E. Ditch Co.
6. The right to take water from such works is based upon Permit No. 7639-9420-9419.
7. The source of supply from which such water is diverted is Rock Creek and underflow wells.
8. The date of the priority which said user is prepared to establish is are May 1, 1913, and
June 11, 1913.

Fred A. Wilkie,

State Engineer,
 7639

May 15th, 1918.

Re Permits 7639-9419-9420.

Mr. W. F. Turner,
Kimberly, Idaho.

Dear Sir:--

Application for amendment of above permits has been approved and placed on record in this office. Same is herewith returned to you with one copy of the map.

Very truly yours,

FRED A. WILKIE,

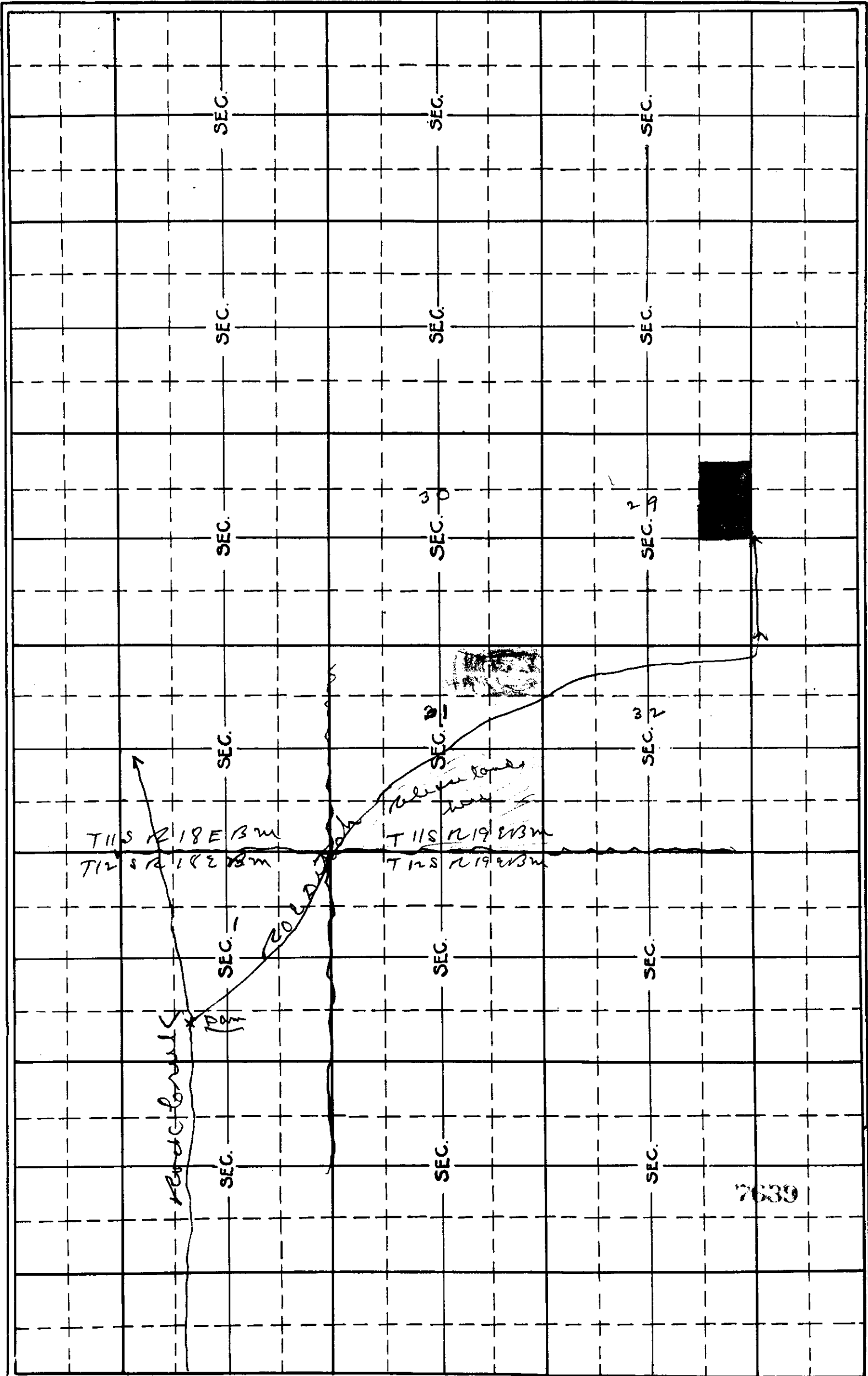
State Engineer.

AA-M

By _____

7639

Name of Applicant *Mrs. Cy + THIL J. TURNER - 76 m Bx rly. IDAHO.*



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

A M E N D E D M A P

PERMIT NO. 7639-9419-9420

RECEIVED

MAY 10 1910

OFFICE OF STATE ENGINEER



BANK OF KIMBERLY

CAPITAL AND SURPLUS OVER \$45,000.00

STATE BANK AND DEPOSITARY

HENRY JONES, PRESIDENT
H.P. LARSEN, VICE PRESIDENT
W.H. TURNER, CASHIER
GARL RIDGEWAY, ASST. CASHIER

KIMBERLY, IDAHO

State Engineer,

May 9, 1918.

Boise, Idaho,

Dear Sir :- Enclosed you will find application for amendment to permit to appropriate the public waters of the State of Idaho, on #7639, 9419 and 9420.

We have bought the new land and it is under the ditch and if allowed will be used without the cost of pumping.

We would like to apply the balance of the water under the above permits to this new land as far as it will go. Not knowing just the exact amount that will be left in acres if you will fill out we will be greatly obliged.

Please advise as to the amount due you in fees for same.

This land is now in crop and is ready to prove up on as soon as you will permit us. Thanking you, I am

Yours very truly,

Mrs. Cynthia G. Turner,

by *W.H. Turner* 7639

RECEIVED

MAY 10 1913

OFFICE OF STATE ENGINEER

May 18th, 1918.

Re Permits 7639-9419-9420.

Mr. W. H. Turner,
Kimberly, Idaho.

Dear Sir :—

Enclosing herewith blank notices for proof of use of water under above permits. Notice of proof should be made out separately for each permit but a combined notice for publication will be sent to the paper .

Very truly yours,

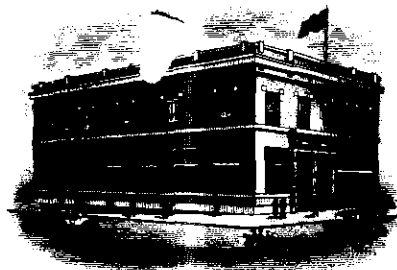
FREDAA. WILKIE,

State Engineer.

Enc.

By_____

7639



BANK OF KIMBERLY

CAPITAL AND SURPLUS OVER \$45,000.00

STATE BANK AND DEPOSITARY

HENRY JONES PRESIDENT
H.P. LARSEN, VICE PRESIDENT
W.H. TURNER, CASHIER
GARL RIDGEWAY, ASST. CASHIER

KIMBERLY, IDAHO

May 17, 1918.

Hon. Fred A. Wilkie,
State Engineer,
Boise, Idaho,

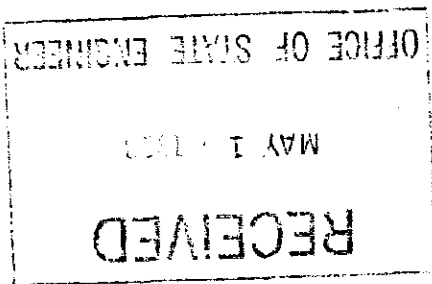
Dear Sir :- Your letter of the 15th received in regard to permits #7639-9419-9420.

We would like to make proof on using the water on the new location at once as it is now in crop and has all been irrigated.

Thanking you, I am Yours very truly,

Mrs. Cynthia G. Turner

by *W.H. Turner*



April 4th, 1918.

Re Permits 7639-9419-9420.

Mr. W. H. Turner,
Kimberly, Idaho.

Dear Sir:--

Am herewith enclosing application blank for amendment of above permits. Duplicate maps should accompany same.

The application should show the lands you are to release under the permit and also the new lands, and should be definitely stated.

Very truly yours,

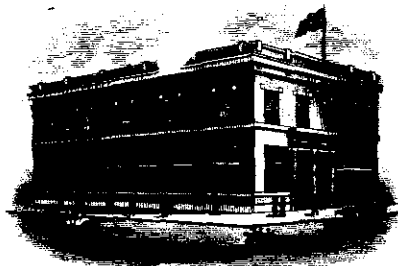
FRED A. WILKIE,

State Engineer.

By _____

AA-2MF

7639



BANK OF KIMBERLY

CAPITAL AND SURPLUS OVER \$45,000.00

STATE BANK AND DEPOSITARY

HENRY JONES PRESIDENT
H.P. LARSEN, VICE PRESIDENT
W.H. TURNER, CASHIER
GARL RIDGEWAY, ASST. CASHIER

KIMBERLY, IDAHO

March 30, 1918.

State Engineer,
Boise, Idaho,

Dear Sir :- In reply to your letter of Jan. 14th, 1918, re-permits 7639, 9419, 9420, will say that I have obtained lands as follows - NE $\frac{1}{4}$ Sec. 31, T 11S, R 19 E B M and E $\frac{1}{2}$ NE $\frac{1}{4}$ Sec 29 T 11S R 19 E which land can be irrigated without pumping. Said land is being put in crop this season and I would like to transfer the balance of the water due under said permits to the above land as follows- 40 inches on NE $\frac{1}{4}$ Sec 29; and 32 inches on NE $\frac{1}{4}$ Sec 31, T 11S R 19 E B M. The ditches are all complete to said land ready for proving up. If you have necessary blanks for such transfer please send them at once. Thanking you very much, I am

Yours very truly,

Mrs. Cynthia G. Turner

by *W.H. Turner*

7639

RECEIVED

1918

STATE ENGINEER

ca

January 14, 1918.

Re: Permits 7639-9419-9420.

Mrs. Cynthia G. Turner,
Kimberly, Idaho.

Dear Madam:

Replying to yours of the 9th inst. would say that when you have put in additional land and have used the water upon same, you can make another proof of beneficial use of water and obtain license for same. We can only allow a license for an inch to the acre for the land under cultivation. The licenses under the three permits were, therefore, cut down so that the total amount allowed was only an inch to the acre for 68 acres.

Very truly yours,

J. H. SMITH,

State Engineer.

By

CB/MB

7639

R. G. WILSON
CHAIRMAN
L. H. WALDEY
TREASURER

BOARD OF TRUSTEES
W. A. GILL
DR. J. N. DAVIS
C. H. UPTON
R. G. WILSON
GARL RIDGEWAY

Village of Kimberly

W. H. TURNER, Clerk

KIMBERLY, IDAHO, Jan. 9, 1918. 1918

State Engineer,

Boise, Idaho,

Dear Sir :- Your letter of Jan. 5 received with licenses #9419,
9420 and 7639.

These seem to grant water for only 68 acres. It was my understanding that I was to get more water than this.

As I am putting in additional land this spring under the same ditch would like to know if additional proof can still be made under original applications and still hold priority.

If this is impossible please send application blanks at once.

Thanking you, I am

Yours very truly,

Mrs. Cynthia G. Turner.

7639

January 5, 1918.

Re: Permit No. 7639.

Mrs. Cynthia G. Turner, et al,
Kimberly, Idaho.

Dear Madam:

Enclosing herewith Water License issued
under above permit, with receipt for fee.

Very truly yours,

J. H. SMITH,

State Engineer.

By

Enc: WL
R-7639

MB

7639

BANK OF KIMBERLY

LIMITED

STATE BANK AND DEPOSITARY.

KIMBERLY, IDAHO.

Nov. 24, 1917.

Mr. J.H. Smith, State Engineer,
Boise, Idaho,

Dear Sir :- Your letters of the 20th received in regard to Permits
#9420;9419;7639, in the name of Mrs. Cynthia G. Turner.

Enclosed you will find check for \$24.00 for fees in the same.

Thanking you, I am

Yours very truly,

Mrs. Cynthia G. Turner

by *W. H. Turner*

November 20, 1917.

Re: Permit No. 7639.

Cynthia C. Turner, et al,
Kimberly, Idaho.

Dear Madam:

The report of our examining engineer on proof of beneficial use of water under the above numbered permit has just been filed.

Upon receipt of fees in the sum of \$6.00, the matter of issuing license will be taken up.

Very truly yours,

J. E. SMITH,

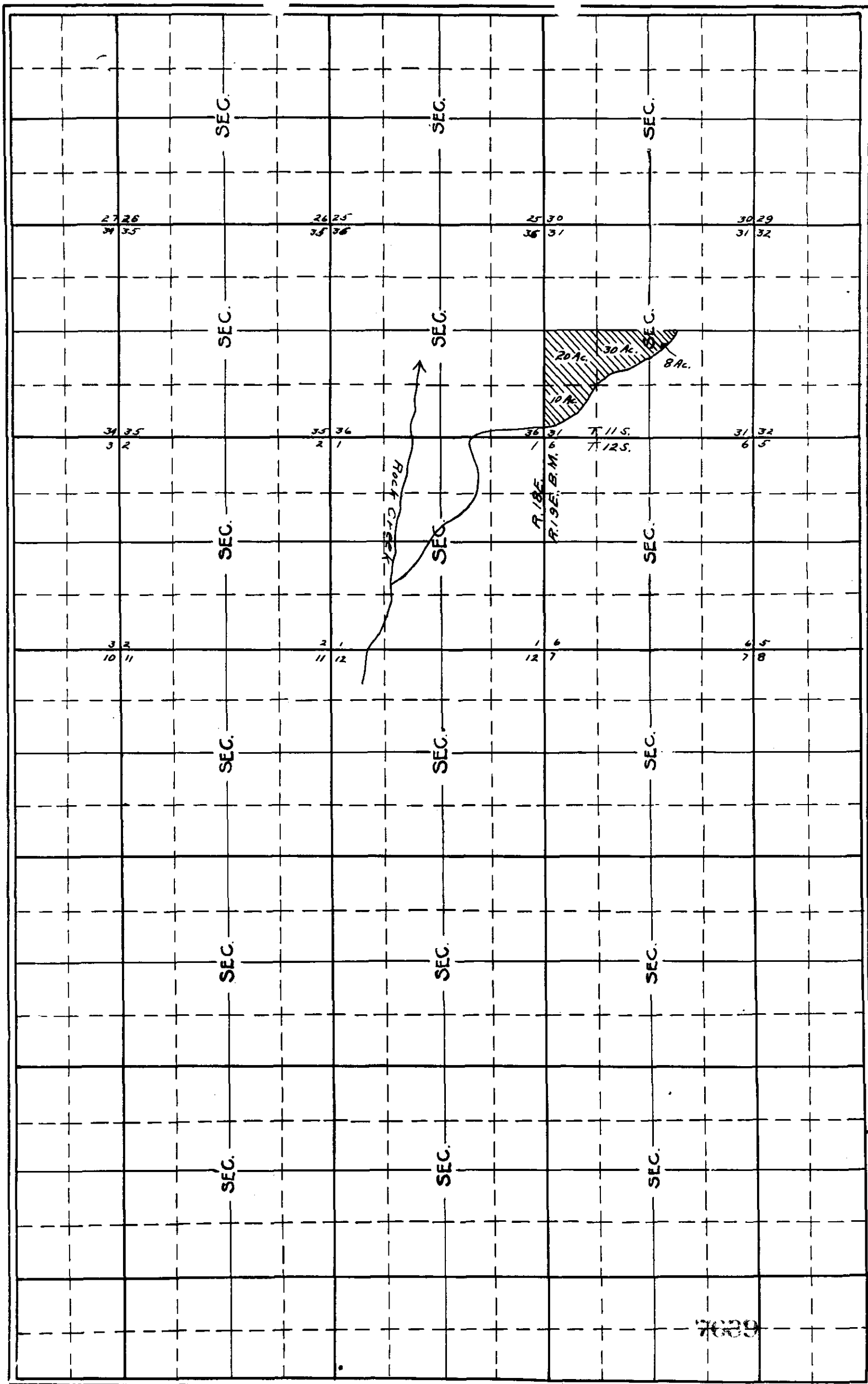
State Engineer.

By

CS/MB

7639

Name of Applicant - Cynthia G. Turner - Permit 7639 -



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

RECEIVED
NOV 19 1917
OFFICE OF STATE ENGINEER

REPORT OF ENGINEER

1. State name of applicant and number of permit: Cynthia G. Turner, et al - Permit
7639

2. State source of water supply: Rock Creek.

3. Location of point of diversion: NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 1, T. 12 S., R. 18 E., B.M.

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

5. Describe works as they exist, giving dimensions and capacities of same: -----

Rock & brush dam. Wooden headgate.

Earth ditch 6 ft. by 1.5 ft. Where it cuts along lower edge
of rim rock it has been strengthened with concrete and in places the
lower bank is concrete wall.

This is the same ditch described in the reports on Permits No's
9419 & 9420.

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

Yes.

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): -----

Lot 3, Sec. 31, T. 11S., R. 19E. B.M. 20 Ac.

Lot 4, " " 10 Ac.

NE $\frac{1}{4}$ SW $\frac{1}{4}$ " " 30 Ac.

NW $\frac{1}{4}$ SE $\frac{1}{4}$ " " 8 Ac.

8. Submit map on enclosed plat, showing location and details of above description.

Remarks: Flood water only, lasts until July.

These lands are also irrigated under Permits No's. 9419 & 9420.

This examination was made on the 17 day of Oct. 1917.

(Signed) M. B. Lewis Examiner.

7639

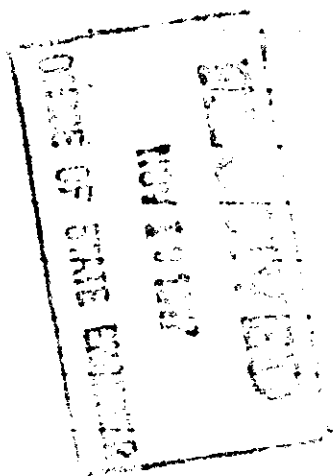
(This report must be sworn to when not made by an attache of the State Engineer's office)

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_____

Notary Public.
My Commission Expires_____

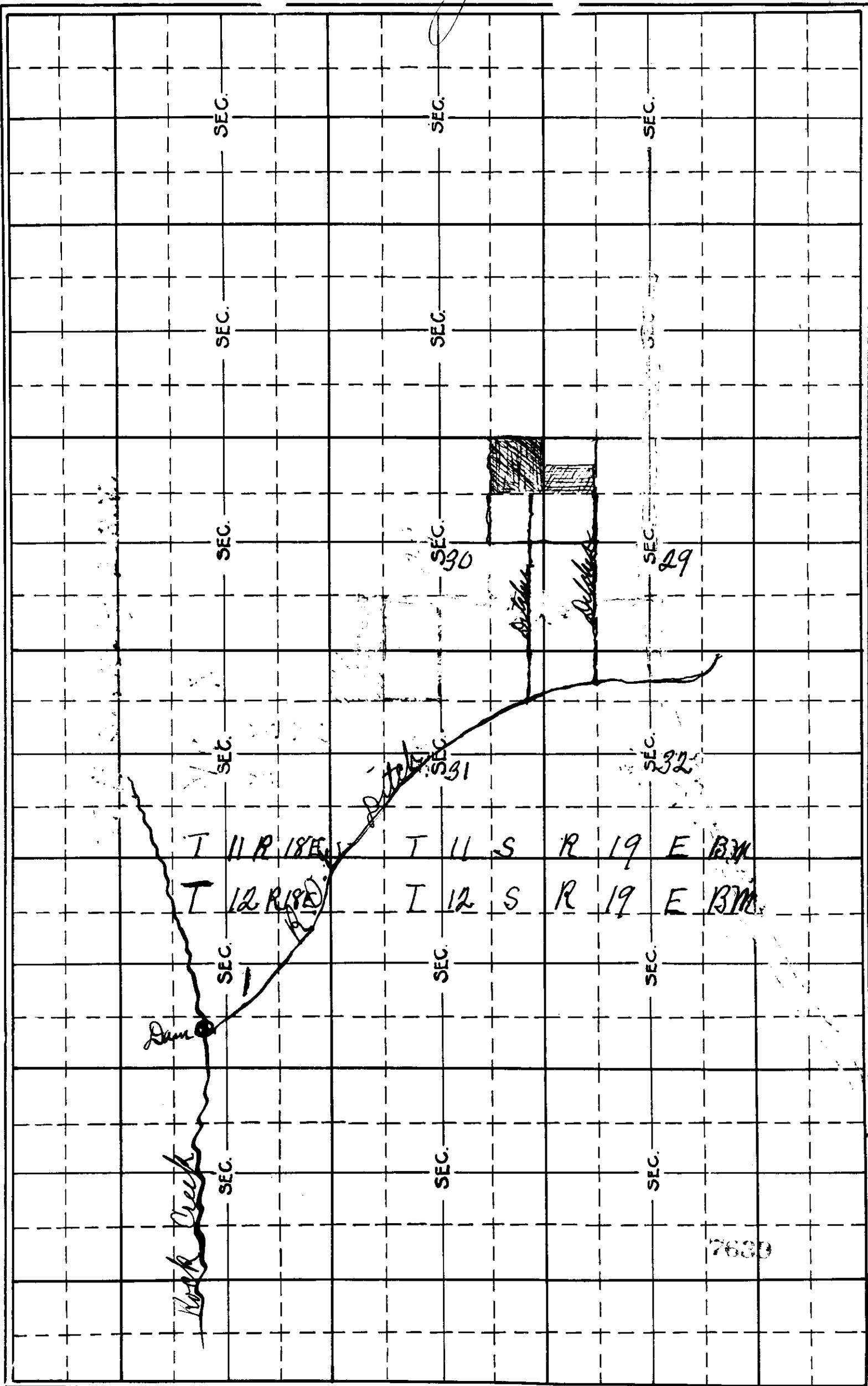


Cynthia G. Turner, Kimberly.

Dist. No. 30.

Name of Applicant

W. Tilley



AMENDED MAP

PERMIT NO. 7639

March 24th, 1917.

Re Permit 7639.

Mr. H. W. Tilley,
Kimberly, Idaho.

Dear Sir:—

Am herewith returning you approved application for
amendment of above permit, with duplicate copy also transfer
of water right which has been placed on record in this office.

Am also enclosing special certificate relative to said
water right, at the request of Mr. Wm. H. Turner yesterday.

Very truly yours,

J. H. SMITH,

State Engineer.

By _____

1A-21-3-4311

7639

March 20, 1917.

Re Permit 7639.

Mr. E. W. Tilley,
Kimberly, Idaho.

Dear Sir:--

Replying to yours of the 19th inst.
would say that the original permit, No. 7639,
gave the following lands to be irrigated:

SE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ & NE $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 19, T. 11 S., R. 19 E. B. M.

This was afterwards amended, at the request of
Mrs. Cynthia G. Turner, to include part of the
South half of Section 31. If you desire to
include the lands described in the assignment
sent in your letter, you should file an application
for amendment, upon the enclosed form. Only Permit
No. 7639 should be mentioned in this application,
and not all three permit numbers given, as in the
application filed last year.

Under Permit 9420 we find an assignment recorded
whereby you are to receive 60 inches of water under
permits 9420 and 7639. However, the copy of the
assignment sent in your letter of the 19th inst.
will be placed on record under 7639 and the same
returned to you.

Very truly yours,

J. H. SMITH,

State Engineer.

AA- 2117

By _____

7639

E. M. Tilley
JEWELER

Kimberly, Idaho March 19 1917

State Engineer

Find enclosed a ^{Duplicate} transfer of 60 inches of water from W. H. Turner to me. I sent this transfer to you some two years ago, but never have heard from them please look it up for me.

I am enclosing a duplicate from W. H. Turner to me. The original I sent you before was to have the water transferred to the E $\frac{1}{2}$ of NE $\frac{1}{4}$ of Sec 30 T11S R19E B1M note the change that I want in the water now. Enclosed find drawing I have been using this water two years and ^{Gave} Turner \$600.00 Dry ranch for it. Yours truly E. M. Tilley

July 17, 1916.

Re Permits 7639- 9419-9420.

Mr. W. H. Turney,
Kimberly, Idaho.

Sir:--

We are in receipt of papers in proof of beneficial use of water under above permits. As soon as the examinations can be made by our engineer, you will be advised as to fees due before issuing licenses.

Very truly yours,

J. H. SMITH,

State Engineer.

By _____

7639

7639

PERMIT No. _____

Proof of Application of Water to Beneficial Use

DEPOSITION OF HOLDER

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

Ans. Mrs. Cynthia G. Turner, 35 yrs, Kimberly, Idaho, housewife
E.W. Tilley, 46 yrs, Kimberly, Idaho, Jeweler.

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

Ans. _____

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

Ans. #7639, ~~#####~~ Aug. 26, 1911.
June 29, 1911.

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

Ans. Reek Creek, NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 1 T 12 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.

Ans. Dam and ditch, will convey 800 inches of water. R.O.E. Ditch

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, S $\frac{1}{2}$ Sec. 31, T 11 S R 19 E.B.M, about
fifty acres, and W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, and S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 30, and S $\frac{1}{2}$ NW $\frac{1}{4}$
NW $\frac{1}{4}$ Sec. 29, all in T 11 S R 19 E.B.M.

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. half inch 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. _____

7639

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

Ans. In 1916, by irrigation by 200 inches of water land was irrigated

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. Water under permits #9419 and 9420 both apply to $2\frac{1}{2}$ Sec 31-T11S 1219 & 1320 that belongs to Mrs. Cynthia G. Turner.

(Sign) Mrs. Cynthia G. Turner

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 Kimberly, County of Twin Falls, State of Idaho, on this 17 day of June

A. D. 1916

H. A. Buckson
Notary Public

7639

Permit No. 7639

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. ~~###~~ Ed Tilley, 60 years old, Farmer, Rock Creek, Idaho.Ques. 2. Are you acquainted with Mrs. Cynthia G. Turner & E.W. Tilley, the holder of Permit No. 7639? How long have you known ~~him~~ ^{them} and where does ~~he~~ ^{they} reside?

Ans. Yes

years - at Kimberly, Idaho.

Ques. 3. Have you read or heard read said Permit No. 7639, 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. Rock Creek, NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 1 T 12 S R 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. Dam & ditch, will convey 800 inches of water in R.O.E. Ditch

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

Ans. Irrigation and domestic, About fifty acres in S $\frac{1}{2}$ Sec 31
and acres in sec 30, all in T 11 S R 19 E.B.M.

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. sandy loam, with volcanic ash, half inch per acre.

7639

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. In 1916, by irrigation, about 110 acres were irrigated

(Sign) Ed Tilley

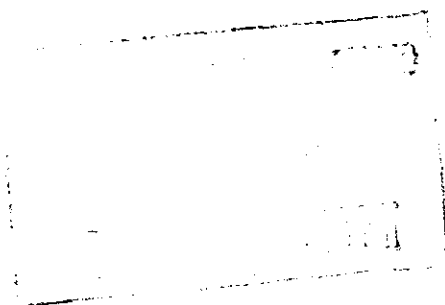
I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, in Kimberly, County of Twin Falls, State of Idaho, on this 17 day of June A. D. 1916

H. A. Brewster

Notary Public.

My Commission Expires May 25, 1918

7639



Permit No. 7639

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. ~~W~~ Wellens Webster, 56 yrs. Farmer, Kimberly, Idaho.

Ques. 2. Are you acquainted with Mrs. Cynthia G. Turner & E.W. Tilley, the holder of Permit No. 7639? How long have you known them and where does they reside?

Ans. Yes

years - at Kimberly, Idaho.

Ques. 3. Have you read or heard read said Permit No. 7639, 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. Rock Creek, NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 1 T 12 S R 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. Dam & ditch, will convey 800 inches of water in R.O.E. Ditch

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

Ans. Irrigation and domestic, About fifty acres in S $\frac{1}{4}$ Sec 31
and acres in sec 30, all in T 11 S R 19 E.B.M.

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. sandy loam, with volcanic ash, half inch per acre.

7639

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. In 1916, by irrigation, about 110 acres were irrigated

(Sign)

William Webster

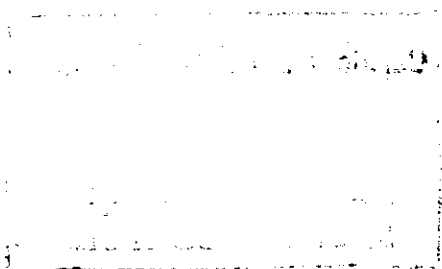
I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, in Kimberly, County of Twin Falls, State of Idaho, on this 17 day of June A. D. 1916

W. B. Brice

Notary Public.

My Commission Expires May 25, 1918

7633



NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 10 a. m. on the 17th day of June, 1916, at Kimberly, County of Twin Falls, State of Idaho, before W. F. Breckon, notary public, proof will be submitted of the application to beneficial use of 2.4 cubic feet per second of the waters of Rock Creek, in accordance with the terms and conditions of Permit No. 7639, heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the persons holding said permit are Mrs. Cynthia G. Turner and E. W. Tilley, Kimberly, Idaho.

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

3. The amount applied to beneficial use is 2.4 cubic feet per second.

4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated): South half of Sec. 31, T. 11 S., R. 19 E., B. M., containing 120 acres; also W1-2 SE1-4 NE1-4 and S1-2 NE1-4 NE1-4 Sec. 30, and the S1-2 NW1-4 NW1-4 Sec. 29, T. 11 S., R. 19 E., B. M., Twin Falls County, Idaho.

5. The name of the canal or ditch or other works by which said water is conducted to such place of use is R. O. E. Ditch.

Affidavit of Publication No 223

I, W. F. Breckon,
Publisher of the
(Publisher or Foreman)

Twin Falls News, published weekly at Twin Falls, Idaho, do solemnly swear that a copy of the notice, as per clipping attached, was published weekly in the regular and entire issue of said newspaper and not in any supplement thereof, for ~~seven~~ consecutive ~~issues~~, commencing with the issue dated May 18, 1916, and ending with the issue dated June 8, 1916.

Subscribed and sworn to before me this 16 day of June, 1916.

Arthur J. Fealey
Notary Public
(Official Designation)

STATE OF IDAHO
ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE

Mrs. Cynthia G. Turner & E.W. Willey.

c/o W.F. Breckon,
Kimberly, Idaho.

BOISE, IDAHO, May 22, 1916.

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of application of water to beneficial use under your Permit No. **7639**.

DEPOSITION OF PERMIT HOLDER,

DEPOSITIONS OF TWO WITNESSES.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of your rights:

1. On ~~June 17th~~, the date set for the proof of application of water to beneficial use, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to, at **Kimberly, before W.F. Breckon, M.P.**

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice and fee of \$2.00 for each 40-acre tract, or fraction, to which water has been applied. When these have been received together with report of examining engineer, if everything is properly executed, License will issue.

Yours truly,

J.E. SMITH,

State Engineer.

7639

(Place)....*Twin Falls Ida*.....
(Date)....*May 15-16*.....

J. H. Smith.

State Engineer, Boise.

Dear Sir:

I have your letter of *May 13*.....*16*..... enclosing Notice of Proof
of Beneficial Use of Water under Permit No. *7639*..... which will be publish-
ed as you request, beginning with our issue of *May 18*.....*16*.....

.....*Twin Falls News*.....
J. E. F.

7639

May 13, 1916.

Re Permits 7639-9419-9420.

Mr. W. H. Turner,
Kibberly, Idaho.

Sir:-

We are just in receipt of notices for final proof under above permit. Notices for publication will be mailed to the Twin Falls News in time for publication in next week's issue, June 17th being set as date for making proof. Deposition blanks will be sent to Mr. W.F. Breckon.

Very truly yours,

J. H. SMITH,

State Engineer.

By _____

7639

HENRY JONES, PRESIDENT.

H.P. LARSON, VICE PRESIDENT.

W.H. TURNER, CASHIER.

CARL RIDGEWAY, ASST. CASHIER.

BANK OF KIMBERLY

LIMITED

STATE BANK AND DEPOSITARY.

KIMBERLY, IDAHO.

Mr. J.H. Smith, State Engineer,

May 12, 1916.

Boise, Idaho,

Dear Sir :- Enclosed you will find notices for publication of beneficial use of water. We would like to have these published as soon as possible in the Twin Falls News, Twin Falls, Idaho.

W.F. Breckon is a Notary Public in Kimberly, Idaho; and please fix the date as soon as 1

RECEIVED

MAY 18 1916

Yours very truly,

Turner & Tilley

by *W.H. Turner*

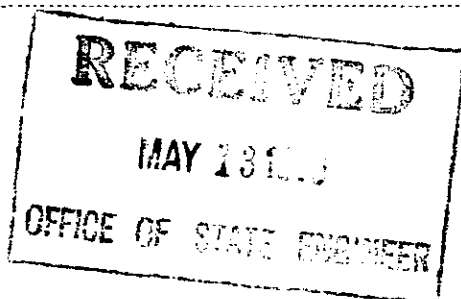
7639

NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 10 a. m. on the 17th day of June, 1916,
 at Kimberly, County of Twin Falls, State of Idaho,
 before W. F. Breckon, notary public, proof will be submitted
 of the application to beneficial use of 2.4 cubic feet per second of the waters of
Rock Creek, in accordance with the terms and conditions of Permit No. 7639
 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
Mrs. Cynthia G. Turner and E.W. Tilley, Kimberly, Idaho,
2. The use to which said water has been applied is irrigation and domestic
3. The amount applied to beneficial use is 2.4 cubic feet per second
4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated)
South half section 31, T 11S R 19 E.B.M., containing 120 acres
also W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ and S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 30 and the S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 29,
T 11S, R 19 E.B.M. Twin Falls County, Idaho.
5. The name of the canal or ditch or other works by which said water is conducted to such place of use is
R.O.E. Ditch
6. The right to take the water from such works is based upon Permit No. 7639
7. The source of supply from which such water is diverted is Rock Creek
8. The date of the priority which said user is prepared to establish is June 29, 1911.



State Engineer.

7639

State of Idaho
ENGINEERING DEPARTMENT

Turner & Tilley,

BOISE

Cynthia G. Turner,

May 10 1916

Dear Sir: Kimberly, Idaho

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your Permit No.---7639---, which kindly fill out and return to me at least 60 days before the date upon which you wish to submit proof. The date of the proof is set out in your permit, and if proof is submitted subsequent to that your priority will be advanced a time equal to the difference of the time between the date proof should have been submitted and the date it is submitted.

Yours truly,

J. H. SMITH

State Engineer

7639

7639

September 4, 1915.

Permits 7639-9419-9420.

Mr. W. H. Turner,
Kimberly, Idaho.

Sir:--

Am enclosing herewith certificates for completion
of works under above permits, with receipts for fees.

Very truly yours,

J. H. SMITH,

State Engineer.

3CCW-R7542-3-7552

By _____

7639

August 7, 1915.

Permits 7639-9420.

Mr. W. H. Turner,
Kimberly, Idaho.

Sir:--

The applications for amendment of above permits have been approved and recorded in this office. ~~Same~~ are herewith returned with one copy of each map.

Very truly yours,

J. H. SMITH,

State Engineer.

2 A⁴-2M

By _____

7639

BANK OF KIMBERLY

LIMITED

STATE BANK AND DEPOSITARY.

KIMBERLY, IDAHO.

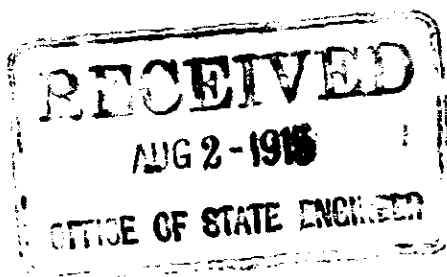
July 31, 1915.

State Engineer,

Boise, Idaho,

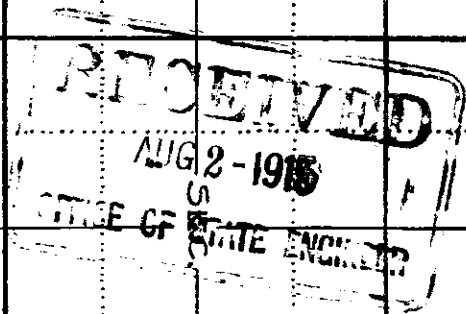
Dear Sir :- Your letter of the 29th received in regard to #9420 and #7639.
Enclosed please find them signed by Mrs. Turner. If any omissions are noted
please advise. Thanking you for past favors, I am

Yours very truly,

W.H. Turner

7639

Name of Applicant *Mrs. Eugene W. Turner 7639*



SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC. 36

SEC. 31

SEC.

T11 S 21 82 4 m

T12 S 21 82 4 m

T11 S 21 82 4 m

T12 S 21 82 4 m

SEC. 1

SEC. 1

SEC.

*Point of intersection
not plotted w.
approximate for punch*

7639

July 26, 1915.

Permit 7639.

Mr. W. F. Turner,
Kimberly, Idaho.

Sir:--

We are in receipt of affidavit of holder and check for fees for proof of completion of works under above permit. As soon as the application for amendment of lands has been received and approved, the matter of issuing the certificate will be taken up. The check for fees will be held pending further action.

Very truly yours,

J. H. SMITH,

State Engineer.

By _____

7639

HENRY JONES, PRESIDENT.

H.P. LARSEN, VICE PRESIDENT.

W.H. TURNER, CASHIER.

GARL RIDGEWAY, ASST. CASHIER.

BANK OF KIMBERLY

LIMITED

STATE BANK AND DEPOSITARY.

RECEIVED

JUL 24 1915

OFFICE OF STATE ENGINEER

KIMBERLY, IDAHO.

July 23, 1915.

State Engineer,

Boise, Idaho,

Dear Sir :- Enclosed you will find proof of completion of works of
Mrs. Cynthia G. Turner, for #7639.

If not in correct form please advise.

Yours very truly,

W.H. Turner.

7639

0129417
5-100

Permit No. 7639

OFFICE OF STATE ENGINEER

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO
 Twin Falls } ss.
 County of _____

Cynthia G. Turner her
 _____, being first duly sworn upon ~~the~~ 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. 7639 and that his postoffice address is Kkemberly
 State of Idaho

Second: That under the terms and conditions of said permit, construction thereunder was required to be
 completed by Aug. 26, 1915, 191_____

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

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

I. Kind of works: ditch and flume
 (Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work: _____

(a) Height of dam 8 feet, length of dam at top 50 feet, length of dam at
 bottom 25 feet. Material used in construction wood, earth & stone

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

(b) Capacity of reservoir _____ acre feet.

(c) Size of headgate: Width 8 feet, height 4 feet.

(d) Conduit ditch width at bottom 6 feet, width at water
 (State whether ditch, flume or pipe)

line 9 feet, depth of water 3 feet; diameter of pipe _____ inches;

average grade per mile is 2 1/2 feet. Length of conduit is 3 miles.

Fifth: That said works are capable of conducting to the place of intended use
2.4 second feet of water.

Sixth: That water appropriated under said permit is available for 120 acres of land
 described as follows: on S 1/2 Sec. 31, T 11S, R 19 E.B.M.

Seventh. Remarks: That Permit was formerly in the name of
W.H. Turner, since transferred to Cynthia G. Turner

Mrs. Cynthia G. Turner
 (Sign here)

Subscribed and sworn to before me this 23 day of July 1915.

My commission expires Sept. 20, 1918.

W.H. Turner
7639

Notary Public.

RECEIVED
JUL 2 11916
OFFICE OF STATE ENGINEER

STATE OF IDAHO
ENGINEERING DEPARTMENT
BOISE

A. E. ROBINSON
STATE ENGINEER

Permit 7639.

Boise, Idaho, September 15, 1911.

Wm. H. Turner,
Kimberly, Idaho.

Dear Sir:

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

A. E. ROBINSON,
State Engineer.

7639

Name of Applicant Wm H. T. meel

