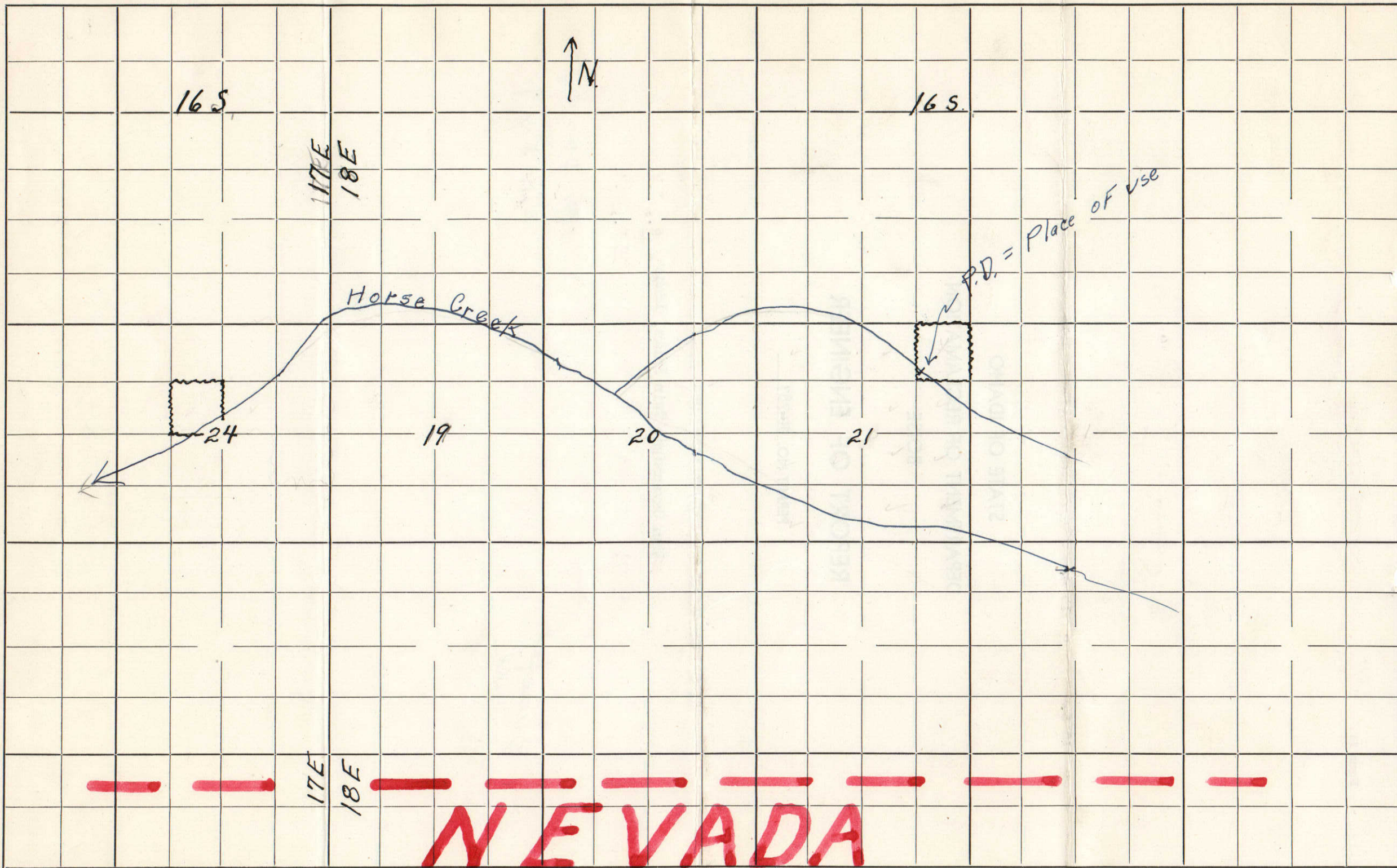


Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.



NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 3:00 P. M. on the 27th day of December, 1957, at Twin Falls, County of Twin Falls, State of Idaho, before F. C. Sheneberger, Notary Public (Fidelity Bank Bldg.), proof will be submitted of the application to beneficial use of Ten Acre feet of the waters of Horse Creek and springs in accordance with the terms and conditions of Permit No. R1022 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person holding said permit is Dan J. Cavanagh, 127 8th Ave. North, (Box 1083), Twin Falls, Idaho.

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

The amount applied to beneficial use is Ten Acre feet in storage dam.

The place where said water is used: The water is stored by dam on Horse Creek. Dam is in SWNW of Section 24 and water is backed up into SENW of Section 24, Township 16 South, Range 17 E., B.M.

The right to take water from such works is based upon Permit No. R1022.

The source of supply from which such water is diverted is the water is from Horse Creek and several springs in SENW of Section 24 as aforesaid.

The date of priority which said user is prepared to establish is September 26, 1957.

MARK R. KULP
State Reclamation Engineer
Publish: Dec. 5, 12, 19, 26, 1957

Affidavit of Publication

STATE OF IDAHO, }
COUNTY OF TWIN FALLS } ss.

RECEIVED
DEC 30 1957

No. 7094

Department of Reclamation

I, Maude F. Clark, being first duly sworn upon oath depose and say that I am Principal Clerk of the TIMES-NEWS, published daily, except Saturday, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for four consecutive Thursdays, commencing with the issue dated December 5, 1957, and ending with the issue dated December 26, 1957.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

Maude F. Clark

Subscribed and sworn to before me this 26th day of December, 1957.

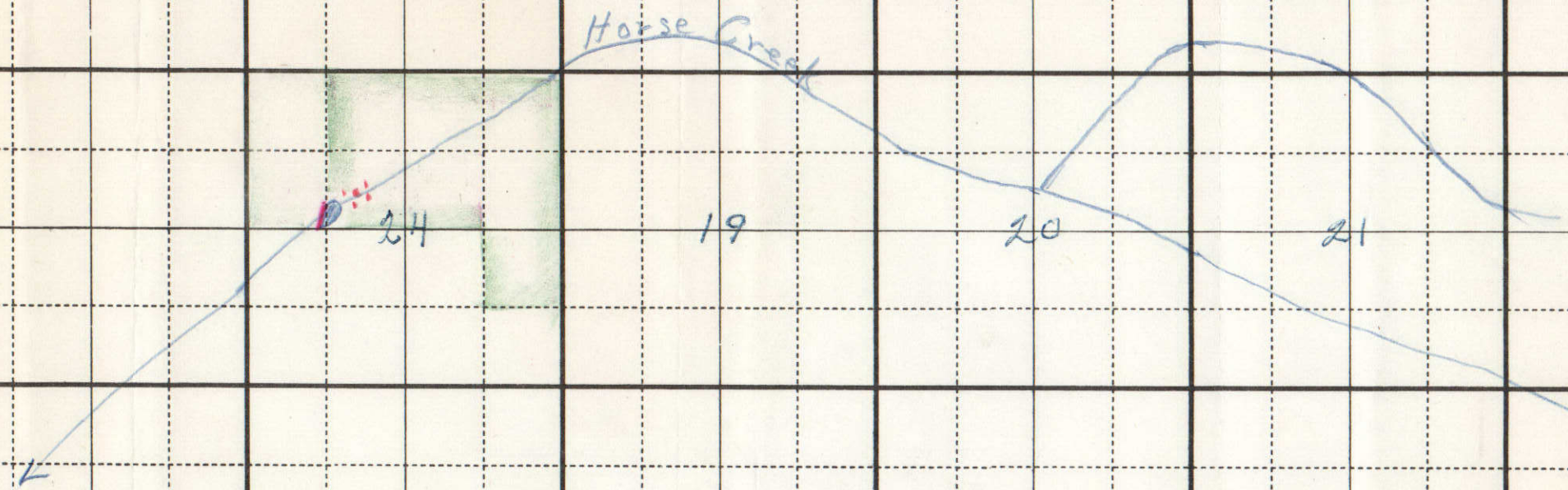
W. W. [Signature]

Notary Public in and for the County of Twin Falls, State of Idaho, residing at Twin Falls, Idaho.

R-1022

T. 16 So. R. 17 EBM

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.



Permit Map No. *P* 1022
As Approved *October* 11 1957
MARK R. KULP
State Reclamation Engineer

Green = Private Lands
Purple = Dam
Blue = Water Reservoir and Horse Creek
Red = Springs

P-1022

State of Idaho
License and Certificate of Water Right

Water License No. R-1022

Amount 10 Ac-ft

Water District No.

Priority September 26, 1957

THIS IS TO CERTIFY that DAN J. CAVANAGH
of Twin Falls, Idaho, made application for a permit to store and appropriate the
public waters of the State of Idaho, dated September 26, 19 57 ; that Permit No. R-1022
was issued under said application; that Certificate of Completion of works, with a storage capacity of
10. ~~acres~~ feet, was issued thereunder on November 20, 19 57, showing that said works
were completed on the 12 day of November, 19 57 ; and that on the 27th
day of December, 19 57, DAN J. CAVANAGH

of Twin Falls, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of several springs
waters of Creeks
and Horse Creek, a tributary of Shoshone and Salmon/ , for the purpose of Livestock Watering
, under Use Permit No. R-1022 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
10 of Licenses at page 6400, on the 18th day of August, 19 58 ;
The right hereby confirmed dates from September 26, 19 57 ;

The Point of Diversion is located (dam outlet)
in the SW 1/4 NW 1/4, Sec. 24, Tp. 16 S., R. 17 E., B. M. County Twin Falls

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 10 ~~cubic~~ ^{acres} ^{annum} feet per second.

Description and location of use:

RESERVOIR - Livestock Watering

Twp.	Range	Sec.	Forty-acre Tract		
16 S.	17 E.	24	SW 1/4		

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
18th day of August, 19 58 .

/s/ GEO. N. CARTER
State Reclamation Engineer.

(SEAL)

17 2449

APPLICATION FOR PERMIT

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

Application No. R 35000
Permit No. R 1022

Dan J. Cavanagh
P. O. Box 1083
Twin Falls, Idaho

47-2449

1. Name of Applicant: DAN J. CAVANAGH

Post office address: P. O. Box 1083, Twin Falls 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 corporation are:

(a) Cash on hand: \$

(b) Treasury Stock: \$

(c) Bonds to be issued: \$

(d) Other resources:

2. Quantity of water to be stored: Ten *See Appendix* ~~acre~~ feet per annum.

3. Source of water supply is Several Springs and ~~(Creek)~~ *flood* waters of Horse Creek Shoshone and Salmon Creek River.

4. The outlet of the proposed reservoir is located about 75 West feet, distant from the SW corner of the SENW 24, Township 16 S., Range 17 E., B.M. and is in the SW 1/4 of NW 1/4 of Section 24, Township 16 S., Range 17 E., B.M. County of Twin Falls

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

(a) The reservoir is located in the channel of Horse (Creek) ~~(River)~~.

(b) The reservoir is to be filled through a feeder canal, the point of diversion for which is located (bearing) feet distant from the corner of Section, Township, Range, B.M., and is in the 1/4 of 1/4 of Section, Township, Range, B.M.; width at bottom feet, width at top feet, depth of water feet; average grade per mile feet; Capacity cubic feet per second

6. (a) The area of the high water line of the reservoir is about an acre and one half acres.

(b) The reservoir capacity is Ten acre feet.

7. Height of reservoir dam 10 feet, length at top 150 feet, length at bottom 125 feet, size of outlet 15 feet by 3 feet. The dam is to be constructed of materials as follows: Earth

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

8. (a) Will water stored in reservoir be diverted to canal or aqueduct, thence to land to be irrigated without commingling with natural flow of

(Creek) (River)? No.

(b) Water stored in reservoir will be carried in the channel of (Creek) (River) a distance of miles to point of diversion located (bearing) feet, distant from the corner of Section, Township, Range, B.M., and in the 1/4 of 1/4 of Section, Township, Range, B.M.

9. (a) Area of watershed above dam site over ten square miles.

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

10. Water is to be used for Stock watering purposes.

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

(a) Point of use of water feet, distant from Corner of Section, Township, Range, B.M., and is in the SE 1/4 of NW 1/4 of Section 24, Township 16 S., Range 17 E., B.M.

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

(c) Water is to be returned to (Creek) (River) (Spring) at a point feet distant from the corner of Section, Township, Range, B.M. in the 1/4 of 1/4 of Section, Township, Range, B.M.

12. Water stored in accordance with this Permit will be carried to place of use through a canal heretofore constructed under the terms of Permit No.

which is hereby referred to and made a part hereof.

13. Kind of diversion works:

(Dam, canal, flume, pipe, etc.)

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

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

15. Size of headgate: Width feet, Height feet.
16. Diversion Canal: Width at bottom feet, width at water line feet, depth of water feet, Dimensions of Flume
Diameter of Pipe inches; Length of Conduit miles. Average grade per mile feet.
17. Estimated Cost of Works: Storage Works: \$ 500.00 Diversion Works: \$
18. Time required for completion of work 5 years.
19. Time required for complete application of water to proposed beneficial use is 6 years.
20. The land to be irrigated is described in the following tabulation: No Irrigation
(Give Irrigable acreage in each 40-acre subdivision.)

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

Total Number of Acres to Be Irrigated

21. Existing rights and/or valid permits appurtenant to lands described above are I hold certificate under Permit No. 787 for spring waters and waters of Horse Creek in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 21-16-18

REMARKS:

The present application is for waters of Horse Creek and spring waters which run into Horse Creek in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 24-16-17 which is my property. I constructed the dam several years ago which is within a hundred feet of the east line of and is in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ 24-16-17. The water is backed up into the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of 24 and onto my land. ~~It is only flood waters of Horse Creek that I wish to file on as they are held in the reservoir. See (undated).~~

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

/s/ Dan J. Cavanagh, Applicant.

By _____, Agent.

Date of first receipt at Department of Reclamation: 8:00 A; M. September 26, 1957

Returned to applicant for correction:

Corrected application received:

APPROVAL OF STATE RECLAMATION ENGINEER

The number of this permit is R -1022

Recorded in book R 4, page 1022. Approved October 11, 1957

This is to certify that I have examined the within application for a permit to construct a reservoir and appropriate and store the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____, to be filed on or before

Work to begin on or before December 11, 1957 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before April 11, 1960

The whole of said work to be completed on or before October 11, 1962

Beneficial use of water stored in accordance herewith, to be made on or before October 11, 1968

Witness my hand this 11th day of October, 1957

/s/ MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, Governor of the State of Idaho, and JAS. H. YOUNG,

Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 11th day of October, 1957

COUNTERSIGNED

By /s/ JAS. H. YOUNG
Secretary of State.

By /s/ ROBERT E. SMYLLIE
Governor.

(SEAL)

Application for Amendment
To Permit to Appropriate the Public Waters
of the State of Idaho, No. R-1022

Comes now Dan J. Cavanagh, and represents to the State Reclamation Engineer of the State of Idaho. That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. R-1022, and requests that said Application for Permit be changed to read as follows: 1. Strike the word "FLOOD" from Line 3, Page 1. 2. Strike the following sentence appearing under "Remarks" Page 3 of said Application for Permit;- "It is only flood waters of Horse Creek that I wish to file on as they are held in the Reservoir." 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 Twin Falls, this 12th day of November, 1957

/s/ Dan J. Cavanagh
Dan J. Cavanagh

Date of receipt at office of Department of Reclamation
November 13, 1957.

APPROVAL OF STATE RECLAMATION ENGINEER

I, MARK R. KULP, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. R-1022. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

/s/ Mark R. Kulp

Recorded: November 13, 1957.

Permit No. R-1022
Certificate of Completion of Works

To All Whom It May Concern:

This is to certify that DAN J. CAVANAGH of Twin Falls, County of Twin Falls and State of Idaho, the holder of Permit No. R-1022, issued upon Application No. R-35000, bearing date of priority of September 26, 1957 authorizing the construction of a reservoir, with the right to appropriate and store 10 acre feet per annum of the waters of Several Springs and waters of Horse Creek a tributary of Shoshone and Salmon Creeks, in the County of Twin Falls, State of Idaho, for Stock watering purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works set out and described in said Permit; that said works include a dam and reservoir adequate for the storage of 10 acre feet of water per annum, with adequate diversion works and conduit to the reservoir, and a conduit capable of conducting said water to the place of intended use; that the point of outlet of said reservoir is located in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 24, Township 16 S. Range 17 E., and that the use of said water is described as follows, to-wit: For stock watering only. Proof of Completion of Works made: November 12, 1957

Witness my hand this 20th day of November, 1957

MARK R. KULP
State Reclamation Engineer
By: E. N. Humphrey
Deputy State Reclamation Engineer

Proof of Completion of Works made: November 12, 1957
Certificate of Completion of Works issued: November 20, 1957.

Page 6400 10 SEC. FK.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. R-787

REPORT ON PROOF OF Beneficial use

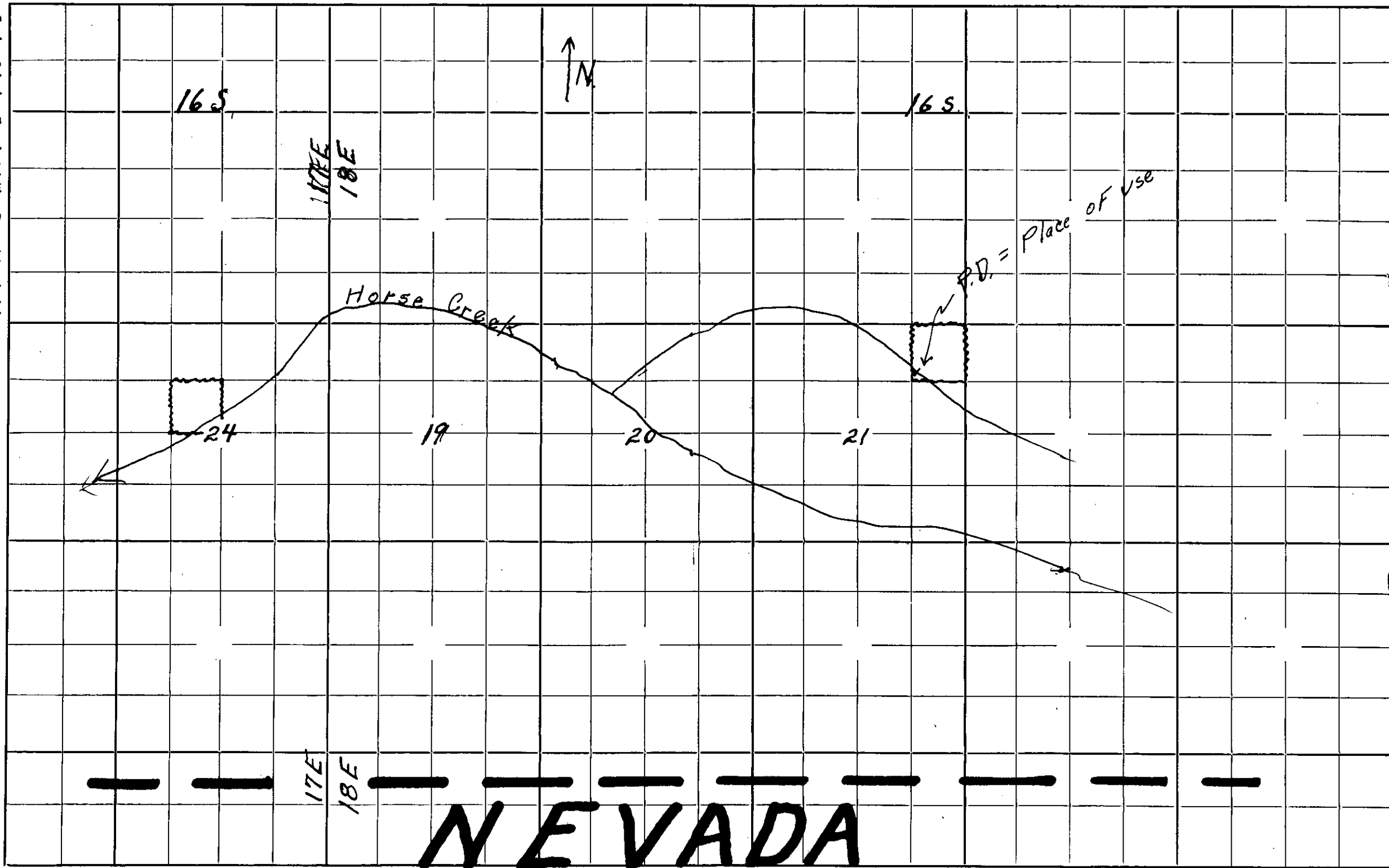
Dan Cavanaugh, Twin Falls, Idaho

3 acre feet
snr

app. 200 a.f.
c/r 5 a.f.

R-787

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



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

Permit No. R-787This proof is for Beneficial use In Water District No. _____1. Name of applicant Dan Cavanaugh, Twin Falls, Idaho2. Source of water supply: A spring3. Location of point of diversion: Is in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 21T. 16 S. R. 18 E. County of Twin Falls

4. Describe works as they exist, giving dimensions and capacities of same: *This is a small dam across a small stream, impounds water only for stock watering. Elv. dam 40 yds x 9' w. on crest. H = 10'. Spillway on north 10' w x 20 yds long some rocks in bottom - rock wall on S side against dam. No rip rap. No outlet works.*

5. Water is used for: Stock watering only6. 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):

Place of use: SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 24, Twp. 16 S., Range 17 E., B.M.NE $\frac{1}{4}$ NE $\frac{1}{4}$ " 21 " " " 18 E., B.M.

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

8. What large stream would the water here appropriated finally reach? Shoshone Cr into Nevada.

Remarks:

*Estimate surface area = $\frac{1}{2}$ acres.**Water impounded when full = 3 acre feet.*This examination was made on the 23 day of Sept., 1952(Signed) E. H. Humphrey Examiner.R-787

Crest 40 yds long x 9 W.
h = 10'

Spillway 10' W x 20 yds long.
Some rip rap and stone
in spillway

Freeboard above bot. of
spillway = 40"

3:1 & 2:1

est. 3 acre feet

Water now 33" below high
water mark.

no rip rap on face of dam

made of good black loam.

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.

Dan Cavanaugh

Twin Falls, Idaho

Permit No. R-787

Examination for Beneficial Use

County Twin Falls

165 - 17E - S 24

Proof = 5 acres feet
Q = 200 acre feet

S = 2 springs + Horse Cr.

Outlet SE NW S 24

Use = Pasture & Stock

Area = NE $\frac{1}{4}$ S 21 = 48 a. 165/188

SE NW S 24 = 29-165/178

Compl. of notes
Res. outlet NE NE S 21

165 188

Stock water only

RECEIVED
SEP 26 1952

Department of Reclamation

Vincente Guisasaola
8⁰⁰ A.M. at Perrine Hotel.

October 31, 1961

Mr. Dan J. Cavanagh
P. O. Box 1083
Twin Falls, Idaho

Dear Mr. Cavanagh:

Your letter of October 30th is correct, as the water rights are appurtenant to the land and go with the ownership of the land, however, the place of use of water rights may be changed by the owner. Requests for such change in place of use or possible change in point of diversion should be made to this office.

Our record of Hot Creek shows following rights:

Water License No. 2853 issued to Peter Oe for 2.7 cubic feet per second, priority June 7, 1907, point of diversion in Lot 1, Sec. 35, to irrigate 135 acres in $W\frac{1}{2}SE\frac{1}{4}$, $E\frac{1}{2}SW\frac{1}{4}$, Sec. 26; Lots 1, 2, Sec. 35, all in T. 16 S., R. 17 E.

Permit No. 4286 - Certificate of Completion of Works issued to W. L. Howard for 3.2 cubic feet per second, priority Jan. 15, 1909, with point of diversion in $NE\frac{1}{4}NE\frac{1}{4}$, Sec. 35, to irrigate $E\frac{1}{2}NW\frac{1}{4}$, $W\frac{1}{2}NE\frac{1}{4}$, Sec. 26, T. 16 S., R. 17 E.

Water License No. 5019 issued to Helen Braun for 3.0 cubic feet per second, priority July 28, 1909 with point of diversion in $SW\frac{1}{4}SW\frac{1}{4}$, Sec. 23, to irrigate $S\frac{1}{2}SE\frac{1}{4}$, Sec. 22; $SW\frac{1}{4}SW\frac{1}{4}$, Sec. 23; $N\frac{1}{2}NE\frac{1}{4}$, Sec. 27, T. 16 S., R. 17 E.

Our record of Horse Creek shows the following rights:

Permit No. 4296 - Certificate of Completion of Works issued to W. L. Howard for 3.0 cubic feet per second, priority Jan. 15, 1909, point of diversion in $SE\frac{1}{4}NE\frac{1}{4}$, Sec. 23, to irrigate $W\frac{1}{2}SE\frac{1}{4}$, $SW\frac{1}{4}NE\frac{1}{4}$, $NE\frac{1}{4}SE\frac{1}{4}$, Sec. 23, T. 16 S., R. 17 E.

Licenses No. R-787 and R-1022 in name of Dan J. Cavanagh

R-1022

Page Two

Dan Cavanagh

Oct. 31, 1961

Permit No. 4286 record shows a letter was sent to Mr. W. L. Howard showing that Permit No. 4286 could be licensed for 80 acres, and Permit No. 4296 for 35 acres at the rate of one miners inch per acre. The letter was returned to this office by the Hollister Postmaster.

The water licenses noted in paragraph above could be issued in your name if you can show ownership of the water rights, upon payment of the fees.

We have not searched records of other streams as we do not know the names.

You can make application for further diversion of water from any stream for irrigation of lands not covered by existing water rights, form for application enclosed.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. Form 1 & instructions

R 1056

CAVANAGH RANCH COMPANY

Fidelity National Bank Building

P. O. Box 1083

TWIN FALLS, IDAHO

Oct. 30, 1961

Department of Reclamation
PHONES

TWIN FALLS RE 3-3611
TWIN FALLS RE 3-2059
BUHL 0422-J1

State Reclamation Engineer
State House
Boise, Idaho.

Dear Sir:

In 1935 the writer acquired the holdings on ranch of James A. and Robert Palmer and Water License No. 15621 which is recorded in Book 6 of Licenses Page 3535 on Sept. 26, 1928.

Also in the meantime he was issued License No. R-787 which was recorded in Book 8 of Licenses Page 5022, on Nov. 10, 1947

Also he was issued Water License R-1022 which was recorded in Book 10 of Licenses on Page 6400, on August 18, 1958.

The writer has incorporated these holdings together with his livestock operations and has been given to understand that the above Water Licenses are pertinent to the land and require no transfer or assignment.

However, I would like to be advised if this understanding is correct. L. A. Warner, the original Licensee under Permit No. 15621 assigned all right, title and interest to James A. and Robert Palmer on Oct. 23, 1926 and the latter parties were issued Water License No. 15621. This latter was recorded by the State Auditor and Ex-Officio Recorder in Book 10 of Misc.

Please advise if there are any Water Licenses issued in Sections 26, 35 and 36, Twp. 16 S, R. 17 E B.M. or if applications can now be made for irrigation or livestock on the waters of Hot Creek in these areas.

Very truly yours,

Dan J. Cavanagh
Dan J. Cavanagh
Box 1083

Twin Falls, Idaho

R-1022

GEO. N. CARTER
~~XXXXXXXXXX~~

August 18, 1958

Re: Permit No. R-1022

Mr. Dan J. Cavanagh
P. O. Box 1083
Twin Falls, Idaho

Dear Mr. Cavanagh:

Enclosed is the License and Certificate of Water Right issued under Permit No. R-1022, confirming the right with priority of September 26, 1957, to the storage and use of 10 acre feet per annum of the waters of springs and Horse Creek, with the point of diversion in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 24, for stockwatering purposes, with the place of use in the S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 24, Township 16 South, Range 17 East, B.M.

Enclosed also is departmental receipt #29236 for \$5.00, issued as receipt of the fee for the License.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enc.

R-1022

V
100-1

CAVANAGH RANCH COMPANY

Fidelity National Bank Building

TWIN FALLS, IDAHO

August 16, 1958

RECEIVED
AUG 18 1958

P. O. BOX 1083

PHONES
TWIN FALLS . . . 56
TWIN FALLS . . . 817
BUHL 0422-J1

Re: Permit No.-R-1022

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

Dear Mr. Carter:

This will acknowledge receipt of letter advising that your field engineer's report of inspection of reservoir covering above captioned Permit is adequate for the storing of 10 acre feet of waters from springs and Horse Creek for stockwater, for which I thank you.

In accordance with your request we are enclosing statutory fee of \$5.00 and understand upon receipt of same you will issue License and Certificate of Water Right covering Permit No. R-1022.

Very truly yours,

Dan J. Cavanagh

Box 1083

Twin Falls, Idaho

R-1022

GEO. N. CARTER
XXXXXXXXXX

August 14, 1958

Re: Permit No. R-1022

Mr. Dan J. Cavanagh
P. O. Box 1083
Twin Falls, Idaho

Dear Mr. Cavanagh:

Our field engineer's report on his inspection of the beneficial use of water under the terms of Permit No. R-1022 shows the reservoir is adequate for storing 10 acres feet per annum of the waters from springs and Horse Creek, for stockwater.

Upon receipt of the statutory fee of \$5.00, we will issue the License and Certificate of Water Right, confirming the right with priority of September 26, 1957 to the storage of 10 acre feet per annum of the waters of springs and Horse Creek, with point of diversion (dam outlet) in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 24, for stockwatering purposes in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 24, Township 16 South, Range 17 East, B.M.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Chief Clerk

EPR:nls

R-1022

June 3, 1958

Re: Permit No. R-1022

Mr. Dan J. Cavanagh
Cavanagh Ranch Company
Fidelity National Bank Building
Twin Falls, Idaho

Dear Mr. Cavanagh:

The inspections in Twin Falls County will be made shortly.

You will be notified by letter or contacted by telephone
so that you may accompany the Engineer on the inspection.

Very truly yours,

MARK R. FULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

ENH:lw

R-1022

CAVANAGH RANCH COMPANY

Fidelity National Bank Building

TWIN FALLS, IDAHO

P. O. BOX 1083

RECEIVED
MAY 29 1958

May 27, 1958

PHONES

TWIN FALLS . . . 56

TWIN FALLS . . . 817

BUHL 0422-J1

Department of Reclamation

RE: Permit No. R-1022

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

Dear Mr. Kulp:

Please advise when it will be convenient for your Field Engineer to make field examination in Sheshone Basin of the Reservoir and Dam under Permit No. R-1022 following Completion of Works under Certificate issued on November 20, 1957, to complete final action in this matter.

If you will advise us when your field engineer can make examination, we will be glad to meet him and show him the location and furnish any information he may require.

Very truly yours,


Dan J. Cavanagh

R-1022

December 31, 1957

Re: Permit No. R-1022

Mr. Dan J. Cavanagh
P. O. Box 1083
Twin Falls, Idaho

Dear Mr. Cavanagh:

We acknowledge receipt of the Deposition of Holder and two witnesses, also affidavit of publication in the Times-News, all submitted in Proof of Application of Water to Beneficial Use on Permit No. R-1022.

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

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

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Edna P. Rutledge (Mrs.)
Chief Clerk

EPR:lw

R-1022

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
DEC 3 0 1957
Department of Reclamation

✓
Permit No. R-1022

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Dan J. Cavanagh, Twin Falls, Idaho, livestock operator. P+ O+ Box 1083
Twin Falls, Idaho

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

Ans. _____

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

Ans. R-1022 October 11, 1957, September 26, 1957

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

Ans. Several springs and waters of Horse Creek. Said springs are in SENW
24-16-17 EBM. Twin Falls County, Idaho

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

Ans. An earthen dam has been built across Horse Creek in SWNW 24, 150 feet long on top and 125 feet long at bottom, 10 feet high which creates a reservoir of about one and a half acres, backing up the waters of the springs and waters of Horse Creek into the SENW of section 24. The dam will hold ten acres feet of water and is filled by said waters.

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. These waters are for livestock watering.

R-1022

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

no irrigation
Ans.

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

Ans.

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. These waters have been in beneficial use over the last five years.

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

Ans. All these waters are used for stock watering.

(Sign)



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 Twin Falls, County of Twin Falls.

State of Idaho, on this 27th day of December, A. D. 1957.

Notary Public for Idaho
Residence: Twin Falls, Idaho

My commission expires January 4, 1958

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

DEPARTMENT OF RECLAMATION
Department of Reclamation

PERMIT NO. R-1022

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. Merl Singleton, 41 years, Rt. 4, Buhl, Idaho, livestock opera-
tor. RFD #4, Buhl, Idaho

Ques. 2. Are you acquainted with Dan J. Cavanagh, the
holder of Permit No. R-1022? How long have you known him and where does
he reside?

Ans. Yes, I have known him for five years. He lives in Twin Falls,
Idaho

Ques. 3. Have you read or heard read said Permit No. R-1022, and are you
familiar with its provisions and conditions?

Ans. Yes and I am familiar with its provisions and conditions

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

Ans. The source of water is from several springs in SENW 24-16-17 EBM
Twin Falls County, Idaho, and the waters of Horse Creek. These waters
are empounded by a dam across Horse Creek in the SWNW of sec. 24. The
reservoir holds ten acre feet of water and the reservoir is filled by
the springs and waters of Horse Creek.

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

Ans. The dam holds ten acre feet

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 im-
provements which have been made as a direct result of said use.

Ans. The water is used for stock watering during the grazing sea-
son and several bands of sheep are watered there ~~throughout~~ each season.
throughout

R-1022

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

Ans. no irrigation

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. none

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 whatever

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. I have observed the dam, reservoir and beneficial use of the water of the last five years and at several times each season.

(Signed) Merl Singleton

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Twin Falls,

County of Twin Falls, State of Idaho, on this 27 day of December,

A. D. 19 57.

L. C. Skeneberger
Notary Public.

My commission expires January 4, 1958.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JUN 10 1957
Department of Reclamation

PERMIT NO. R-1022

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. J+ F+ Muirhead, 35 years, RFD 4, Buhl, Idaho, farming and livestock operator. RFD 4, Buhl, Idaho

Ques. 2. Are you acquainted with Dan J. Cavanagh, the holder of Permit No. R-1022? How long have you known him and where does he reside?

Ans. Yes. Have known him for ten years. He resides in Twin Falls, Idaho

Ques. 3. Have you read or heard read said Permit No. R-1022, and are you familiar with its provisions and conditions?

Ans. I have read it and am familiar with its provisions

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

Ans. Source of water- several springs in SENW 24-16-17 Twin Falls County, Idaho, and the waters of Horse Creek. These waters are empounded by a dam across Horse Creek in the SWNW of section 24.

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 dam stores ten acre feet of water and the springs and waters of Horse Creek fill the reservoir.

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. The reservoir is used for livestock watering only.

R-1022

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

Ans. none

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. no irrigation

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 what ever

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. I have observed the construction and beneficial use over the last five years and several times each season. There are several bands of sheep watered at the reservoir quite frequently during each grazing season.

(Signed) J. F. Muirhead

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Twin Falls,
County of Twin Falls, State of Idaho, on this 27th day of December,
A. D. 19 57.

My commission expires January 4, 1958

H. C. Chamberlenger
Notary Public.

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS

ss.

N^o 7094

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 3:00 P. M. on the 27th day of December, 1957, at Twin Falls, County of Twin Falls, State of Idaho, before F. C. Sheneberger, Notary Public (Fidelity Bank Bldg.), proof will be submitted of the application to beneficial use of Ten Acre feet of the waters of Horse Creek and springs in accordance with the terms and conditions of Permit No. R1022 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person holding said permit is Dan J. Cavanagh, 127 8th Ave. North, (Box 1083), Twin Falls, Idaho.

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

The amount applied to beneficial use is Ten Acre feet in storage dam.

The place where said water is used: The water is stored by dam on Horse Creek. Dam is in SWNW of Section 24 and water is backed up into SENW of Section 24, Township 16 South, Range 17 E., R.M.

The right to take water from such works is based upon Permit No. R1022.

The source of supply from which such water is diverted is the water is from Horse Creek and several springs in SENW of Section 24 as aforesaid.

The date of priority which said user is prepared to establish is September 26, 1957.

MARK R. KULP

State Reclamation Engineer

Publish: Dec. 5, 12, 19, 26, 1957

I, Mark R. Kulp, being first duly sworn upon

oath depose and say that I am Principal Clerk of the TIMES-News, published daily, except Saturday, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire

issue of said newspaper, and not in any supplement thereof, for

consecutive four days, commencing with the issue dated

December 5, 1957, and ending with the issue dated

December 12, 1957.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-News, since such consolidation, has been published as a daily newspaper except Saturday, under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code. Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

Subscribed and sworn to before me this 28th day of

December, 1957

W. C. Livingston
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho.

CAVANAGH RANCH COMPANY

Fidelity National Bank Building

TWIN FALLS, IDAHO

P. O. BOX 1083

Dec. 28, 1957

PHONES

TWIN FALLS ... 56

TWIN FALLS ... 817

BOISE ... 0422-J1

Permit No. R1022

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

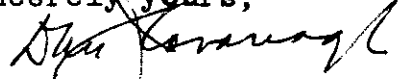
Dear Mr. Kulp:

Enclosed herewith please find
Affidavit of Publication; Proof of Application
of Water to Beneficial Use; Two Depositions
of Witnesses, all duly executed and notarized
to cover above captioned Permit No. R1022.

I trust you will find these
documents in order and that License will follow
in due time.

I understand that at this time
of the year and under present weather conditions
in winter in the Shoshone Basin that inspection
will have to be deferred until seasonable
weather. At that time I will be glad to accompany
your inspector to the site of this reservoir.

Sincerely yours,


Dan J. Cavanagh

R-1022

December 9, 1957

Re: Permit No. R-1022

Mr. Dan J. Cavanagh
Fidelity National Bank Building
P. O. Box 1083
Twin Falls, Idaho

Dear Mr. Cavanagh:

This will acknowledge your letter of December 6, 1957 regarding the publication notice in connection with the above permit, enclosing a copy of the first publication notice from the Twin Falls Times News.

We have checked over the notice and we find same to be correct.

Thank you for your prompt reply.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

RWT:lw

R-1022

Publish: Dec. 5, 12, 19, 26, 1957.

**NOTICE OF PROOF APPLICATION OF
WATER TO BENEFICIAL USE**

Notice is hereby given that at 3:00 P. M. on the 27th day of December, 1957, at Twin Falls, County of Twin Falls, State of Idaho, before F. C. Sbeneberger, Notary Public (Fidelity Bank Bldg.), proof will be submitted of the application to beneficial use of Ten Acre feet of the waters of Horse Creek and springs in accordance with the terms and conditions of Permit No. R1022 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person holding said permit is Dan J. Cavanagh, 127 1/2th Ave. North, (Box 1083), Twin Falls, Idaho.

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

The amount applied to beneficial use is Ten Acre feet in storage dam.

The place where said water is used: The water is stored by dam on Horse Creek. Dam is in SWNW of Section 24 and water is backed up into SENW of Section 24, Township 16 South, Range 17 E., B.M.

The right to take water from such works is based upon Permit No. R1022.

The source of supply from which such water is diverted is the water is from Horse Creek and several springs in SENW of Section 24 as aforesaid.

The date of priority which said user is prepared to establish is September 26, 1957.

MARK R. KULP
State Reclamation Engineer

Publish: Dec. 5, 12, 19, 26, 1957

P

CAVANAGH RANCH COMPANY

Fidelity National Bank Building

TWIN FALLS, IDAHO

P. O. BOX 1083

December 6, 1957

RECEIVED
DEC 9 1957
PHONES
TWIN FALLS ... 56
TWIN FALLS ... 817
BURL ... 0422-J1

Department of Reclamation

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

Permit No. R-1022

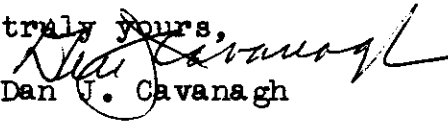
Dear Mr. Kulp:

This will acknowledge receipt of your letter of December 5 inst. in regard to publication in the Times-News in Twin Falls in regard to Beneficial Use Proof on above captioned Permit, for which I thank you.

You will find attached first notice of publication on December 5 which will enable me to make proof on the original date set as of Dec. 27th inst.

Upon receipt of your letter of Dec. 3 advising that notice of publication had been sent to Twin Falls Times-News on that date I immediately contacted the publisher and had the notice taken to the printing department so that publication was made duly made for the first time on December 5.

Very truly yours,


Dan J. Cavanagh

PS- Please let me know if published notice is not in regular order so that re-publication, if necessary, can be attended to.

R-1022

December 5, 1957

Re: Permit No. R-1022

Mr. Dan J. Cavanagh
P. O. Box 1083
Twin Falls, Idaho

Dear Mr. Cavanagh:

In reply to your letter of December 2, 1957 in connection with the above captioned permit, there was some delay in sending your notice of publication to the Times News in Twin Falls relative to your Beneficial Use Proof on Permit No. R-1022.

However, we think that our letter enclosing the publication notice reached the Times News in time to get the publication notice in their December 5th edition. However, if the Times News was not able to print the publication in their December 5th issue, we will request that you call the paper and give them an extended date for time set for making said proofs. The time will have to be set far enough in advance for four weekly issues of the publication. This can be set for your convenience.

Providing this is necessary, kindly let this department know the date of the extended notice.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

RWT:lw

R-1022

CAVANAGH RANCH COMPANY

Fidelity National Bank Building

TWIN FALLS, IDAHO

December 2, 1957

P. O. BOX 1083

PHONES

TWIN FALLS . . . 86

TWIN FALLS . . . 817

BUHL 0422-J1

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

Permit R-1022

Dear Mr. Kulp:

Please advise if publication has yet been made covering above captioned Permit for appropriation of Public Waters of Horse Creek.

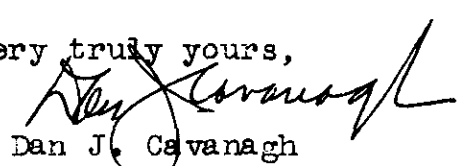
We set the date for making proof of application to Beneficial Use on the 27th Day of December, 1957.

We understand from the Times-News of Twin Falls, Idaho, that they have not yet received notice of publication.

We presume that unless first publication is made on December 5, 1957, that the date of proof of application of water by two witnesses will have to be extended.

Will appreciate hearing from you in this connection.

Very truly yours,


Dan J. Cavanagh

RECEIVED
DEC 3 1957
Department of Reclamation

R-1022

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RE: Permit No. R-1022

Date: December 3, 1957

Times News
Twin Falls, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **December 27, 1957** the date set for proof, the expense of the publication to be paid by the applicant, **Don J. Cavanagh, 127 8th Ave. N., Box 1083 Twin Falls, 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, in order that we may check same.

Very truly yours,
MARK R. KULP

State Reclamation Engineer
By

Edna P. Rutledge (Mrs.)
Chief Clerk

VM

R-1022

RECEIVED
1957
U. S. DEPARTMENT OF RECLAMATION

Dec 10-11-58

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

Notice is hereby given that at 3:00 ^{P.}~~A~~ M. on the 27th day of December, 1957,
at Twin Falls, County of Twin Falls, State of Idaho, before
F. C. Shaneberger, Notary Public (Fidelity Bank Bldg.), proof will be submitted of the
application to beneficial use of Ten Acres/acre feet ~~reserved~~ of the waters of Horse Creek and
springs in accordance with the terms and conditions of Permit No. R 1022
heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person ~~application~~ holding said permit ~~is~~ is Dan J.
Cavanagh, 127 8th Ave. North (Box 1083) Twin Falls, Idaho

The use to which said water has been applied is Stock water

The amount applied to beneficial use is Ten Acre feet in storage dam

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated)
The water is stored by dam on Horse Creek. Dam is in SWNW of Section
24 and water is backed up into SENW of Section 24, Township 16 South,
Range 17 E. B. M. ~~THIS FIELD REPORT, PUBLISHED 1954~~

The name of the canal or ditch or other works by which said water is conducted to such place of use is none

The right to take water from such works is based upon Permit No. R 1022

The source of supply from which such water is diverted is The water is from Horse Creek
and several springs in SENW of Section 24 as aforesaid.

The date of priority which said user is prepared to establish is September 26, 1957
November 12, 1959

MARK R. KULP
State Reclamation Engineer.

R-1022

A. E.

RECEIVED
NOV 13 1957

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) November 12, 1957

Address

Twin Falls Idaho
City State

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the Times News of Twin Falls

published in the county in which the works are situated.

Twin Falls Co.

By

Dan J. Cavanagh

Dan J. Cavanagh

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well-known and competent engineer.)

I hereby certify that the facts set forth in the attached notice are true.

Engineer

R-1022

December 3, 1957

RE: Permit No. R-1022

Mr. Dan J. Cavanagh
127 8th Ave. North (Box 1083)
Twin Falls, Idaho

Dear Mr. Cavanagh:

This acknowledges receipt of the Notice of proofs of application of water to beneficial use under Permit No. R-1022, to be made at Twin Falls, at 3:00 P.M. on the 27th day of December, before Mr. F.C. Sheneberger, Notary Public.

As of this date, we have mailed the Notice to the Times News with instructions to publish it once a week for 10 consecutive weeks prior to the date set for final proof and to then mail the affidavit of publication and statement of costs to you.

In completing the enclosed depositions, it is very important that they be executed by you and two disinterested witnesses, who are familiar with the terms and the work done thereunder, at the time, date, place and before the Notary as advertised in the publication Notice, as well as all other necessary information called for. The signatures and the Notary's seal are essential.

When returning the depositions to this office, please be sure to include the affidavit of publication.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Edna P. Rutledge (Mrs.)
Chief Clerk

EPR:vm
Encl.
cc. F.C. Sheneberger

R-1022

November 20, 1957

Re: Permit No. R-1022
Dan J. Cavanagh

Mr. J. C. Sheneberger
Attorney At Law
P. O. Box 763
Twin Falls, Idaho

Dear Mr. Sheneberger:

Enclosed is the Certificate of Completion of Works issued under Permit No. R-1022 to Dan J. Cavanagh of Twin Falls, for the storage and diversion of ten acre feet per annum of the waters of springs which rise on his property and of Horse Creek, for stock watering purposes, with the point of outlet in the SW 1/4 of Section 24, Township 16 South, Range 17 East, B.M.

Enclosed also is departmental receipt #28872 for \$5.00, issued as receipt of the fee for the Certificate of Completion of Works.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enc.

R-1022

CAVANAGH RANCH COMPANY

Fidelity National Bank Building

P. O. BOX 1083

TWIN FALLS, IDAHO

November 12, 1957

RECEIVED
NOV 13 1957

PHONES

TWIN FALLS --- 56

TWIN FALLS --- 817

BURL --- 0422-J1

Department of Reclamation

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

Permit R-1022

Dear Mr. Kulp:

Enclosed please find authorization for publication, Form No. 11, with reference to the above captioned Application for appropriation of Public Waters.

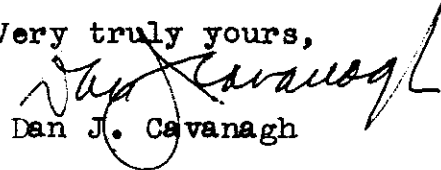
Also Form No. 10 in Duplicate of Notice for publication of Proof Application of water to Beneficial Use.

Also Application for Amendment of Permit to appropriate public waters covered under Permit No. R-1022.

I have set the date for making proof of application of water to Beneficial Use on the 27th Day of December 27, 1957, which I trust will be ample to permit of four weeks of publication in the Times-News of Twin Falls, Idaho.

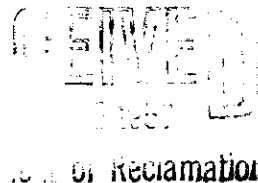
As this project is completed, I understand it is in order to submit the Proof for Completion of Works. Accordingly, I am enclosing Form 15-R in duplicate together with fee of \$5.00 as per your letter of October 24, 1957.

Very truly yours,


Dan J. Cavanagh

R-1022

Permit No. R-1022 ✓



Proof of Completion of Works

DEPOSITION OF HOLDER

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

Ans. Dan J. Cavanagh, 127 8th Ave. North (Box 1083)
Twin Falls, Idaho- Occupation Livestock operator & Farmer

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

Ans. Individual

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

Ans. Permit No. R-1022; Permit approved Oct. 11, 1957;
Ten acre feet; Springs on my private lands and waters of Horse Creek.

Ques. 4. Under terms of permit construction was required to be completed by Oct. 11, 1962.

Ques. 5. Construction was actually completed on the date of November 12 19 52

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

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

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

Ans. November 12, 1952 from springs (Horse Cr. dry at the time)

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

Ques. 10. The area of the high water line of the reservoir is 1 1/2 acres.

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

Ques. 12. The dimensions of the spillway are 10x 14 feet and the bottom of the spillway is three feet below the top of the dam.

Ques. 13. Dimensions of the reservoir outlet are 10x14x 3 ft.

Ques. 14. Describe the gate and control unit.

Ans. No, gates or control

Ques. 15. The reservoir outlet is made of Rock riprap

Ques. 16. Is the reservoir filled through a feeder canal? No

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

Ans. 1/4 1/4 Section, Twp. Range

R-1022

R-1022 G.H. 11/24/52

Ques. 18. Does the feeder canal comply with the specifications in the permit? None

Ques. 19. If not, explain No feeder canal

Ques. 20. Cost of constructing feeder canal? \$ Cost of reservoir? \$ 417.00

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

Ans. ✓ Stock water use only

Ques. 22. Water has (~~been~~) been delivered to place of intended use? In reservoir only

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

Ans. Dam length 150 ft. at top; 125 ft. at bottom; 1½ to 1 on front face slope; 1 to 1 on back face; 12 ft. wide at top; about 40 ft. at base; dam slopes riprapped.

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

Ans. Used for stock water only

(Sign here)

Way Savanog

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 Ham Falls, County of Teton Falls, State of Idaho, on this 12th day of November, A.D. 1957.

Elvis B. Borch
Notary Public

My commission expires Jan 31st 1960

Permit No. R-1022

RECEIVED
NOV 13 1957

Department of Reclamation

Proof of Completion of Works

DEPOSITION OF HOLDER

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

Ans. Dan J. Cavanagh, 127 8th Ave. North (Box 1083)
Twin Falls, Idaho- Occupation Livestock operator & Farmer

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

Ans. Individual

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

Ans. Permit No. R-1022; Permit approved Oct. 11, 1957;
Ten acre feet; Springs on my private lands and waters of
Horse Creek.Ques. 4. Under terms of permit construction was required to be completed by Oct. 11, 1
19 62Ques. 5. Construction was actually completed on the date of November 12 19 52Ques. 6. Does the construction fully comply with the specifications? YesQues. 7. Of what material was the dam built? Earth

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

Ans. November 12, 1952 from springs (Horse Cr. dry at the time)Ques. 9. The capacity of the reservoir is Ten acre feet.Ques. 10. The area of the high water line of the reservoir is 1½ acres.Ques. 11. The height of the dam above bottom of reservoir is ten feet, above low water is 11 feet.Ques. 12. The dimensions of the spillway are 10x 14 feet and the bottom of the spillway is three feet below the top of the dam.Ques. 13. Dimensions of the reservoir outlet are 10x14x 3 ft.

Ques. 14. Describe the gate and control unit.

Ans. No. gates or controlQues. 15. The reservoir outlet is made of Rock riprapQues. 16. Is the reservoir filled through a feeder canal? No

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

Ans. ¼ ¼ Section, Twp. Range

R-1022

Ques. 18. Does the feeder canal comply with the specifications in the permit? None

Ques. 19. If not, explain No feeder canal

Ques. 20. Cost of constructing feeder canal? \$ Cost of reservoir? \$417.00

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

Ans. Stock water use only

Ques. 22. Water has (~~been~~) been delivered to place of intended use? In reservoir only

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

Ans. Dam length 150 ft. at top; 125 ft. at bottom; 1 1/2 to 1 on front face slope; 1 to 1 on back face; 12 ft. wide at top; about 40 ft. at base; dam slopes riprapped.

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

Ans. Used for stock water only

(Sign here)

Wm. J. J. J. J.

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 Town Falls, County of Town Falls, State of Idaho, on this 12th day of November A.D. 1957.

Edward B. B.

Notary Public

My commission expires Jan 24th 1960

November 15, 1957

Re: Permit No. R-1022
Dan J. Cavanagh

Mr. F. C. Sheneberger
Attorney At Law
P. O. Box 763
Twin Falls, Idaho

Dear Mr. Sheneberger:

Enclosed is the Application for Amendment to Permit No. R-1022, Dan J. Cavanagh, which was approved by the State Reclamation Engineer and recorded in the Department of Reclamation in Book R 4 at Page 1022, amending the record of the permit to delete the word "Flood" in line 3 of page 1 and under Remarks the sentence "It is only flood waters of Horse Creek that I wish to file on as they are held in the Reservoir." This should now be attached to the original permit to which it refers and of which it becomes a part.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enc.

R-1022

To Permit to appropriate the Public Waters
of the State of Idaho, No. R-1022

Comes now Dan J. Cavanagh, and represents to the State Reclamation Engineer of the State of Idaho.

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. R-1022, and requests that ~~the permit be amended to read as follows:~~ ^{said Application for Permit} ~~be changed to read as follows:~~

1. Strike the word "FLOOD" from Line 3, Page 1

2. Strike the following sentence appearing under

"Remarks" Page 3 of said Application for Permit;-

"It is only flood waters of Horse Creek that I wish to file on as they are held in the Reservoir."

~~reading not to be~~ 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 Twin Falls, this 12th day of November, 1957.

Dan J. Cavanagh
Dan J. Cavanagh

Date of receipt at office of Department of Reclamation November 13, 1957

APPROVAL OF STATE RECLAMATION ENGINEER

I, MARK R. KULP, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. R-1022. 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.

Mark R. Kulp
State Reclamation Engineer

November 5, 1957

RE: Permit No. R-1022

Mr. F.C. Sheneberger
P.O. Box 763
Twin Falls, Idaho

Dear Mr. Sheneberger:

As per your request over the telephone this afternoon, we herewith enclose a form of Application for Amendment, to amend your Permit No. R-1022 as to the change in the remarks as stated in Permit as to the water supply, being a part of said Permit.

The wording on the enclosed amendment can be changed to meet your requirement.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Edna P. Rutledge (Mrs.)
Chief Clerk

EPR:vm
Encl.

R-1022

October 24, 1957

RE: Permit No. R-1022
Dan J. Cavanagh

Mr. J.C. Sheneberger
Attorney at Law
Fidelity National Bank Bldg.
Twin Falls, Idaho

Dear Mr. Sheneberger:

In reply to your letter of September 23rd. Permit No 787, in the name of Dan J. Cavanagh was published May 7th, 1951, and are enclosing forms for final proof on Permit No R-1022 at this time.

Enclosed Form 15-R, proof of Completion of Works, which is to be completed, sworn to by Mr. Cavanagh before a Notary Public and returned to this department, accompanied by the statutory fee of \$5.00, a Certificate of Completion of Works will then be issued. Also enclosed for 10, 11 and instruction sheet as to requirements in completing them.

It will be necessary to publish the Notice of Application of Water to Beneficial Use on Permit No. R-1022, as it is a new filing.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Edna P. Rutledge (Mrs.)
Chief Clerk

EPR:vm
Encl.

cc. Dan J. Cavanagh
P.O. Box 1083
Twin Falls, Idaho

R-1022

October 21, 1957

Re: Permit No. R-1022

Mr. Dan J. Cavanagh
P. O. Box 1083
Twin Falls, Idaho

Dear Mr. Cavanagh:

We enclose Permit No. R-1022 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

You will also note under Question 18 that we have changed the required time for completion of works and complete application of the water to the proposed beneficial use to five years. However, you may make the required proofs at any time you are prepared to do so within that time.

We also enclose departmental receipt No. 28790 which was issued covering payment in the amount of \$5.00 for the filing fee of the above mentioned permit.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Edna P. Rutledge (Mrs.)
Chief Clerk

EPR:lw
Encls.

cc: F. C. Sheneberger
Attorney At Law
Fidelity National Bank Building
Twin Falls, Idaho

R-1022

When returning permit to applicant
send forms for publication notice
and answer letter by stating that
date of publication on permit No.
R-787 is ^{Revised} May 6, 1947, ~~May 7, 1951~~
That it will be necessary to treat this
permit the same as a new permit and
publish same.

RWT.

R-1022

F. C. SHENEBERGER

ATTORNEY AT LAW
FIDELITY NATIONAL BANK BLDG.
TWIN FALLS, IDAHO

September 23, 1957

Mr. Mark R. Culp
State Reclamation Engineer
Boise, Idaho

Dear Mr. Culp;

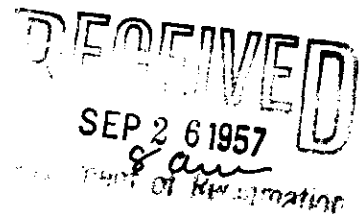
I enclose application of Mr. Dan J. Cavanagh, for permit to store public waters of Idaho. His check for \$5.00 is also enclosed. Reference is made to Permit No. 787.

Will you please advise me as to the publication date on Permit No. 787 in The Times News, published in Twin Falls. Mr. Cavanagh would like to avoid the expense of republishing if possible. Please let me know if this is possible. If approval is granted on this application please furnish me with the necessary forms for making final proof of beneficial use and completion of works.

Very respectfully,

FCS:s

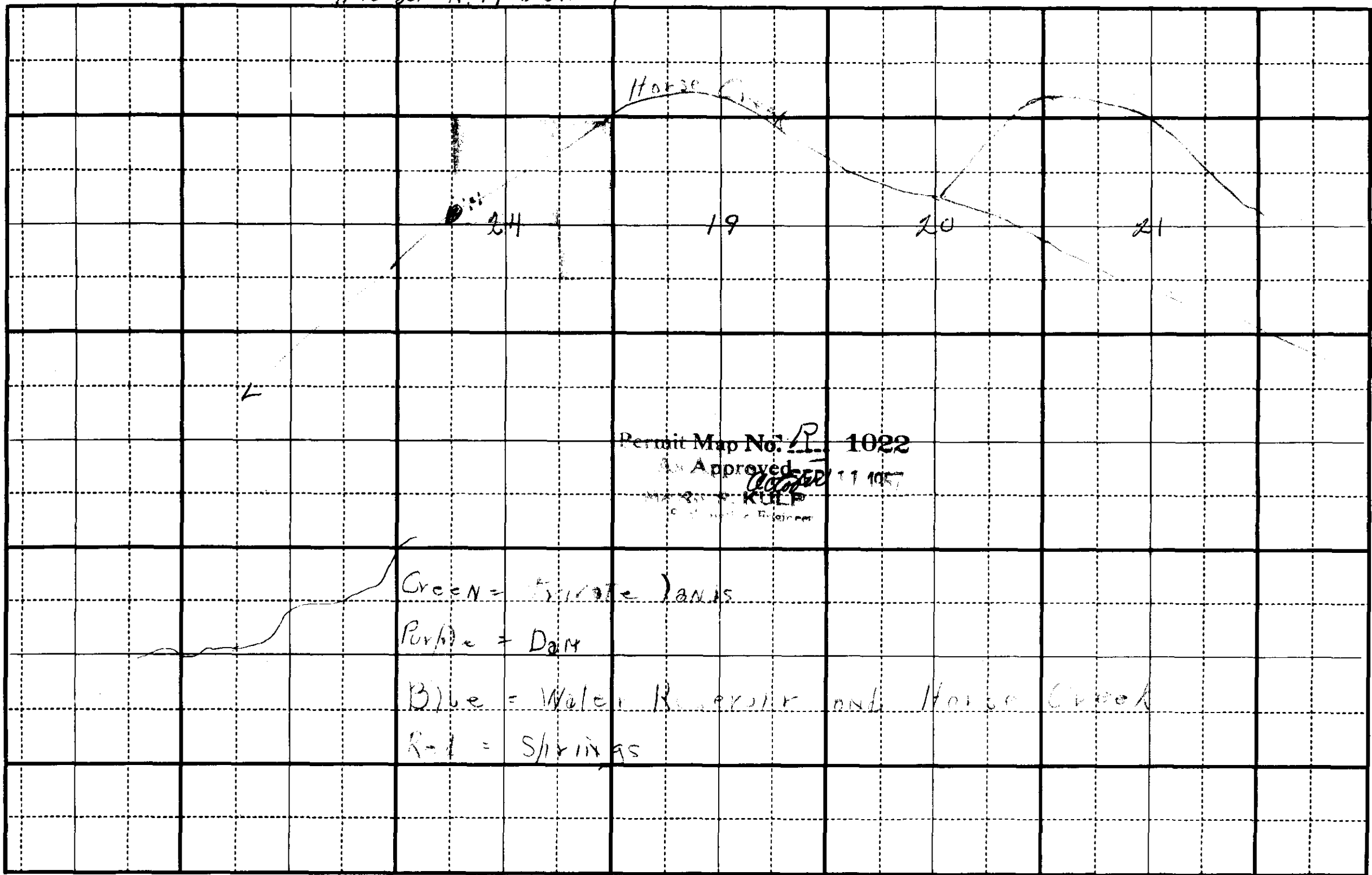
F C Sheneberger



R-1022

T. 16 So. R. 17 EBM

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.



P. 1022

**NOTICE OF PROOF APPLICATION OF
WATER TO BENEFICIAL USE**

Notice is hereby given that at 3:00 P. M. on the 27th day of December, 1957, at Twin Falls, County of Twin Falls, State of Idaho, before F. C. Sheneberger, Notary Public (Fidelity Bank Bldg.), proof will be submitted of the application to beneficial use of Ten Acre feet of the waters of Horse Creek and springs in accordance with the terms and conditions of Permit No. R1022 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person holding said permit is Dan J. Cavanagh, 127 8th Ave. North, (Box 1083), Twin Falls, Idaho.

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

The amount applied to beneficial use is Ten Acre feet in storage dam.

The place where said water is used: The water is stored by dam on Horse Creek. Dam is in SWNW of Section 24 and water is backed up into SENW of Section 24, Township 16 South, Range 17 E., B.M.

The right to take water from such works is based upon Permit No. R1022.

The source of supply from which such water is diverted is the water is from Horse Creek and several springs in SENW of Section 24 as aforesaid.

The date of priority which said user is prepared to establish is September 26, 1957.

MARK R. KULP

State Reclamation Engineer

Publish: Dec. 5, 12, 19, 26, 1957