

R-17E.

T.
16
S.

Dam = 120' L x 20' W.

h = 12'

area 400' x 350' x 10'

3 acres area

Spill on S. 12' W.

24' to 3' field.

P.D.

P.D.

24

Spillway

fee = \$5-00

Use = water for cattle & sheep.
Q = 10 acre feet.

Amend P.D.

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS

SS.

N^o 3856

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

Notice is hereby given that at 10:30 A.M. on the 5th day of June, 1951, at Twin Falls, County of Twin Falls, State of Idaho, before P. C. Sheneberger, Notary Public, proof will be submitted of the application to beneficial use of 200 acre feet per annum of the waters of Two springs & waters of Horse Creek in accordance with the terms and conditions of Permit No. R-787 heretofore issued by the Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Dan J. Cavanagh, Twin Falls, Idaho.

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

The amount applied to beneficial use is 200 acre feet per annum of storage water.

The place where said water is used: SE 1/4 NW 1/4, Section 24 Township 16 South, Range 17 EBM and NE 1/4 NE 1/4, Section 21, Township 16 South, Range 18 EBM, Twin Falls County, Idaho.

The name of the canal or ditch or other works by which said water is conducted to such place of use is No name.

The right to take water from such works is based upon Permit No. R-787.

The source of supply from which such water is diverted is from two springs on lands of permittee and from waters of Horse Creek.

The date of priority which said user is prepared to establish is May 6, 1947.

MARK R. KULP
State Reclamation Engineer.

Publish: May 7, 14, 21, 28, 1951

I, Lisa Molony, 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 or advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for

4 consecutive Monday's, commencing with the issue dated May 7, 1951, and ending with the issue dated May 28, 1951.

And I do further certify that said newspaper is a consolidation, effective Feb. 16, 1942, 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 paper except Saturday, under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 58-108 I. C. A., 1932, as added thereto by Chapter 154, Idaho 1933 Session Laws, Thursday of each week has been designated as the day on which legal notice required 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 1st day of

June, 1951
Jessie Selaya
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho.

NAME OF APPLICANT

Den J. Cavanagh

FORM No. 0

Spring

T16S R 17E B1M

T16S0 -R 18 EBM

Horse Creek

Spring - 24

19

20

21

Permit Map No. R-787

As Approved

MARTIN R. KULP

State Reclamation Engineer

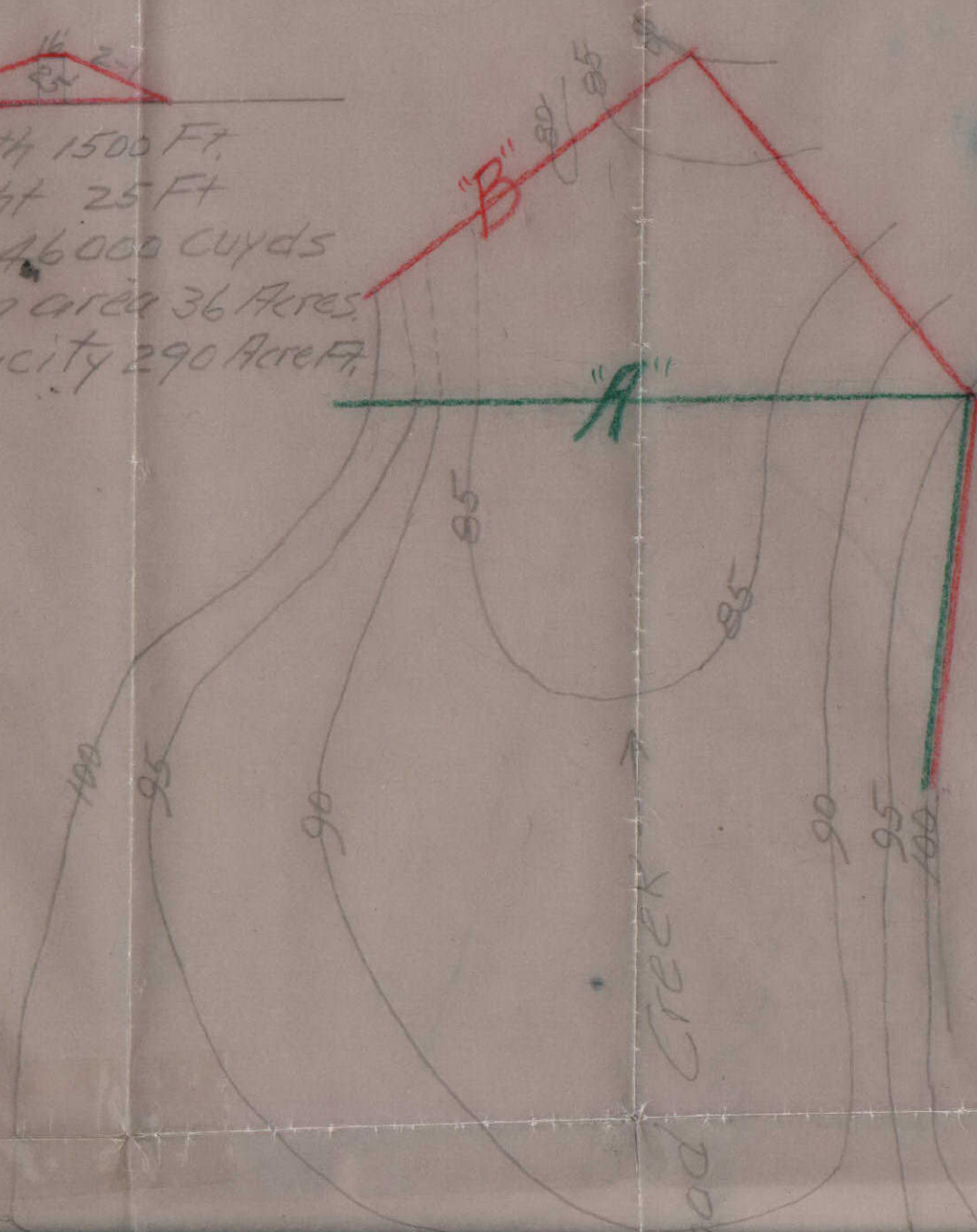
SCALE: 2 INCHES EQUALS 1 MILE.

DRAW PLAN IN INK.

R-787

R 760

Length 1500 Ft.
Height 25 Ft.
Fill 46000 Cuyds
Basin area 36 Acres
Capacity 290 Acre Ft.



Length 1200 Ft. *Built to*
Height 21 Ft. - 24 Ft.
Fill 27000 Cuyds
Basin Area 32 acres
Capacity 235 Acre Ft.



R-100
for 100 ft. minimum
high water level

Cottonwood Creek

for Mr. Williams
July 21-23

Outlet Ditch

W.S. Williams
R2 Twin Falls
Idaho

State of Idaho
License and Certificate of Water Right

Water License No. R-787 Amount Three acre feet
Water District No. Priority May 6, 1947

THIS IS TO CERTIFY that DAN J. CAVANAUGH
of Twin Falls, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated May 6, 1947; that Permit No. R-787
was issued under said application; that Certificate of Completion of works, with a storage capacity of
Five ~~second feet~~ ^{acre feet}, was issued thereunder on June 13, 1949, showing that said works
were completed on the 24th day of May, 1949; and that on the 5th
day of June, 1951,

DAN J. CAVANAUGH
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 a spring and Horse
Creek, ~~tributary of~~, for the purpose of stock watering
, under Use Permit No. R-787 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
8 of Licenses at page 5022, on the 10th day of November, 1952;
The right hereby confirmed dates from May 6, 1947;

The Point of Diversion is located
in the NE 1/4 NE 1/4, Sec. 21, Tp. 16 S., R. 18 E., B. M. Twin Falls County
That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed Three (3) ~~cubic feet per second~~ acre feet per annum.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
			NE 1/4 NE 1/4 Section 21, Township 16 South, Range 18 East, B.M.		

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
10th day of November, 1952.

(SEAL)

MARK R. KULP
State Reclamation Engineer

State of Idaho

License and Certificate of Water Right

Water License No. 20431

Amount 0.6 second foot

Water District No.

Priority April 26, 1948

THIS IS TO CERTIFY that FLOYD O. ROPP
 of Priest River, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated April 26, 1948; that Permit No. 20431
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
 One second foot, was issued thereunder on January 25, 1952, showing that said works
 were completed on the 19th day of January, 1952; and that on the 29th
 day of August, 1952,

FLOYD O. ROPP
 of Priest River, State of Idaho, made proof to the satisfaction of the
 State Reclamation Engineer of Idaho, of the right to use the waters of North
 Tributary, ~~tributary of~~ Tunnel Creek, for the purpose of irrigation and domestic
 use, under Use Permit No. 20431 of the Department of Reclamation
 and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
 and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
 8 of Licenses at page 5021, on the 10th day of November, 1952;
 The right hereby confirmed dates from April 26, 1948;

The Point of Diversion is located
 in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 7, Tp. 57 N, R. 5 W., B. M. Bonner County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
 aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
 not exceed 0.6 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
57 N.	5 W.	7	SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$	15 30	5 25
			Number of Acres	Actually Irrigated	- 30

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
 10th day of November, 1952.

MARK R. KULP

State Reclamation Engineer

(SEAL)

APPLICATION FOR PERMIT

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

Application No. R 27681
Permit No. R 787

47-2447

1. Name of Applicant: DAN J. CAVANAUGH

Postoffice address: 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: 200 Creek acre feet per annum.
3. Source of water supply is 2 springs and Horse ~~Creek~~ ~~(River)~~ ~~(Spring)~~, a tributary of Shoshone & Salmon Creeks River.
4. The outlet of the proposed reservoir is located 2500 feet, distant from the N. W. corner of Section 24, Township 16 S., Range 17 E., B. M. and is in the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ 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 (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 $\frac{1}{4}$ of $\frac{1}{4}$ 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 10 acres.
- (b) The reservoir capacity is 50 acre feet each acre feet.
7. Height of reservoir dam 10 feet, length at top 250 feet, length at bottom same feet, size of outlet feet by feet. The dam is to be constructed of materials as follows: Dirt

(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 Horse Creek (Creek) (River)? Yes
- (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 $\frac{1}{4}$ of $\frac{1}{4}$ of Section, Township, Range B. M.
9. Amount of water claimed from None except 2 springs (Creek) (River) (Spring) in addition to that stored in reservoir cubic feet per second.
10. Water is to be used for Stock and some pasture on range land purposes.
11. If for mining, milling, power or manufacturing purposes give:
- (a) Point of use of water (bearing) feet, distant from Corner of Section, Township, Range B. M. and is in the $\frac{1}{4}$ of $\frac{1}{4}$ of Section, Township, Range, 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 (bearing) feet distant from the corner of Section, Township, Range, B. M., in the $\frac{1}{4}$ of $\frac{1}{4}$ 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: \$ 1,000.00 Diversion Works: \$

18. Time required for completion of work Two (2) years .

19. Time required for complete application of water to proposed beneficial use is Two (2) years.

20. The land to be irrigated is described in the following tabulation:

(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 $\frac{1}{4}$	
16 S.	18 E.	21	x	x	x	x													48
16 S.	17 E.	24							x										2

Total Number of Acres to be Irrigated

50

Remarks: In addition to the dam described on page 1, the applicant also wishes to construct a 10 foot dam in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 21, Twp. 16 S., Range 18 E., B.M. on Horse Creek. The properties are owned by applicant, and he has two springs which flow into Horse Creek. He wishes to file on the waters of these two springs and on the flood waters of Horse Creek for storage water for sheep and cattle which he runs on his private holding and on public domain. It may be that some of the stored water can be run onto some of his land for pasture. The dams are to be constructed of earth and will be approximately 10 feet high and 250 feet long. The unnamed springs each flow about five inches of water.

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

DAN J. CAVANAUGH Applicant.

By

Agent.

State Reclamation Engineer:

Date of first receipt at office of Commissioner of Reclamation 9:00 A.M. May 8, 1947

Returned to applicant for correction May 13, 1947

Corrected application received May 21, 1947

STATE RECLAMATION ENGINEER

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is R 787

Recorded in book R 3 , page 787 Approved June 9, 1947

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

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

Work to begin on or before August 9, 1947 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 June 9, 1948

The whole of said work to be completed on or before June 9, 1949

Beneficial use of water stored in accordance herewith, to be made on or before June 9, 1951

Witness my hand this 9th day of June, 1947

MARK R. KULP
Commissioner of Reclamation
State Reclamation Engineer

IN TESTIMONY WHEREOF, We, C. A. ROBINS, Governor of the State of Idaho, and J. D. "CY" PRICE, 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 9th day of June, 1947.

(S E A L)

Countersigned:

By J. D. "CY" PRICE
Secretary of State

STATE OF IDAHO
By C. A. ROBINS
Governor

Permit No. R. 787

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that Ben J. Cavanaugh of Twin Falls, County of Twin Falls and State of Idaho, the holder of Permit No. R-787, issued upon Application No. R-27681, bearing date of priority of May 8, 1947, authorizing the construction of a reservoir, with the right to appropriate and store 200 acre feet per annum of the waters of Two springs and Horse Creek a tributary of Shoshone and Salmon Creeks, in the County of Twin Falls, State of Idaho, for stock and irrigation purposes, has complied with the provisions of the laws of the State of Idaho relating to the proof of completion of a portion of the works set out and described in said Permit; that said works include a dam and reservoir adequate for the storage of Five (5) acre feet of water per annum from one spring, 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 NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 21, Township 16 South, Range 18 East, and that the place of use of said water is the same, for stock watering only.

Witness my hand this 13th day of June, 1949.

MARK R. KULP
State Reclamation Engineer.

Proof of completion of works made May 24, 1949
Certificate of Completion of works issued June 13, 1949

LICENSE ISSUED FOR 3 AF. SEC. FT.

p. 5022

R-17E.

T.
16
S.

100' x 20' w.

h = 12'

area 40' x 300' x 10'

vacancy area

100' x 10' w.

20' x 10' w.

P.D.

24

Spillway

$f_{12} = 5.12$

use = water for cattle & sheep.
 $Q = 10$ acre feet.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. R-1022

REPORT ON PROOF OF Beneficial Use

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

R-1022

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

Permit No. R-1022This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant Dan J. Cavanagh
2. Source of water supply: Several springs and waters of Horse Creek
3. Location of point of diversion: Is in the SW ¹/₄ of Section 24
T. 16 S. R. 17 East, B. County of Twin Falls

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

*Dam is 120' long x 20' wide on top. H = 12'
Spillway is 12' W. around south end of dam.
Considerable rock rip rap in spillway.
Freeboard is approx. 2 1/2 feet*

5. Water is used for: Livestock Watering

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

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

Livestock Watering

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

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

Remarks: _____

This is high range country. Horse Creek goes dry in late summer. This reservoir is to furnish livestock with water after the streams dry up.

John Mierhead along

This examination was made on the 9 day of July, 1958

(Signed)

E. M. Humphrey
Examiner.

R 1022

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.
-

RECEIVED
AUG 1 1 1958
Department of Reclamation

Wan J. Cavanaugh
Redwood 32039
Permit No. R-1022

Re 33611

Examination for Beneficial Use Proof

County..... Twin Falls

24-16S.-17E.

Q₂ 10.0 A.F.

S₂ Horse Cr. & springs.

P.A. = SW. NW., Sec. 24, T. 16S., R. 17E.

Use = Stock water

Filed = Sept. 26, 1957

Due = Oct. 11, 1968.

W = 11-20-57

October 7, 1957

RE: Permit No. R-787

Mr. F. C. Schenberger
Attorney At Law
Fidelity National Bank Bldg.
Twin Falls, Idaho

Dear Mr. Schenberger:

We acknowledge receipt of Mr. Cavanaugh's personal check in the amount of \$2.00 to cover the fee for the certified copy of License No. R-787 which we sent him October 2, 1957.

We enclose departmental receipt No. 28804 for that fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

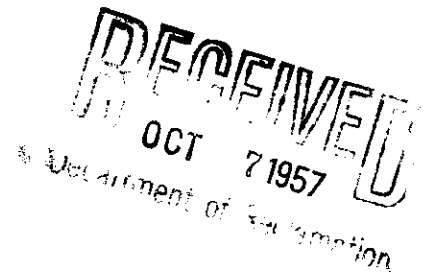
EPR
Enc. - 1 receipt

R-787

enc of 205

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

October 4, 1957



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

Dear Mr. Culp; In re: Permit No. R-787 Dan J. Cavanagh

I enclose Mr. Cavanagh's check for \$2.00 in
payment of the copy of the license which you sent to me.

Very respectfully,

FCS:s

F. C. Sheneberger

R-787

October 2, 1957

Re: Permit No. R-787

Mr. F. C. Scheneberger
Attorney At Law
Fidelity National Bank Bldg.
Twin Falls, Idaho

Dear Mr. Scheneberger:

This is in reference to your letter of September 28, 1957
in which you requested a certified copy of License and
Certificate of Water Right in the name of Dan J. Cavanaugh.

We are enclosing the certified copy of this license, as per
your request.

The fee for this copy work is two dollars.

Very truly yours,

MARK P. KULP
State Reclamation Engineer
By

Edna P. Rutledge (Mrs.)
Chief Clerk

EPR:lw
Enc.(1)

L-487

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

RECEIVED
SEP 30 1957
Department of Reclamation

September 28, 1957

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

Dear Mr. Culp; In re: Water License No. 787-R

On November 15th, 1952 you wrote to me and enclosed License and Certificate of Water Right issued to Mr. Dan J. Cavanagh under permit No. R-787. I presume I delivered it to Mr. Cavanagh, however, if I did it now seems to be mislaid and I wonder if you can furnish me with a certified copy. If you will advise me of the charges I will promptly remit.

Very respectfully,

FCS:s

F. C. Sheneberger

R-787

September 17, 1957

Re: Permit No. R-787

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

Dear Mr. Cavanagh:

In reply to your letter of September 13, 1957 in connection with the above captioned permit, you wish to be advised if you can now file amended proof and receive a license and certificate of water right to complete the application.

We wish to state that license in connection with permit No. R-787 was issued you November 15, 1952 for 3 acre feet of water from a spring with priority of May 6, 1947 for stock watering purposes in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 21, Township 16 South, Range 18 East.

The issuance of this license completed all your right under Permit No. R-787. Your application of permit was filed on May 8, 1947. Under the terms of the permit you were given two years for completion of works or until June 9, 1949. Our records disclose that on May 24, 1949, you made completion of works on 5 acre feet of water from one of the springs, and later received a license for 3 acre feet.

In reference to our letter of June 7, 1949 which states in part, "If it is your intention to only make proof on that amount, which was 5 acre feet, a certificate of completion of works will be issued accordingly. On the other hand, if it is your intention to prove up on the amount applied for and the works have been completed, you may file an amended proof on the form which we enclose". Since the entire works was not completed on June 9, 1949, a certificate of works was issued only on the 5 acre feet of storage water from the one source of supply.

In order to get a water right on the second reservoir for storage purposes, it will now be necessary for you to file a new application for permit. In case you do wish to file, we are enclosing an application for that purpose.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

RWT:lw
Encls.

R-787

DAN J. CAVANAGH • GENERAL CONTRACTOR

STEEL STRUCTURES • DRAINAGE
BRIDGES



CANAL & RESERVOIR LINING • DAMS
ROADS

TWIN FALLS, IDAHO

Sept. 13, 1957

Application No. R27681
Re: Permit No. R-787

RECEIVED
SEP 16 1957
State Reclamation Engineer

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

Dear Mr. Kulp:

The above captioned Application and Permit was approved under date of June 9, 1951.

This application covered two reservoirs with sources of water from springs and flood waters of Horse Creek which is a tributary of Shoshone and Salmon Falls Creeks.

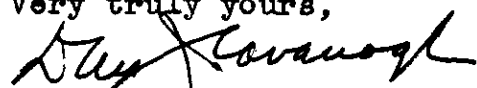
However, proof and license was made on only one of the projects to date.

It has always been my intention to prove up on the second project in the meantime. Completion has been accomplished now.

Under date of June 7, 1949, you advised that upon proof of the amount applied for and the works have been completed that I could file an amended proof on the form which you enclosed.

I will be pleased if you will advise if it is in order for me now to file this amended proof and receive a License and Certificate of Water Right to complete the application.

Very truly yours,


Dan J. Cavanagh

R-787

✓
November 15, 1952

RE: Permit No. R-787

Mr. F. C. Sheneberger
Fidelity Bank Building
Twin Falls, Idaho

Dear Mr. Sheneberger:

We enclose License and Certificate of Water Right issued under Permit No. R-787, confirming the right of Mr. Dan J. Cavanaugh to the storage and use of 3 acre feet of water from a spring and Horse Creek, with priority of May 6, 1947, for stock watering purposes in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 21, Township 16 South, Range 18 East, B.M.

We also enclose departmental receipt No. 25108 for the \$5.00 license fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

R-787

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

RECEIVED
NOV 7 1952
Bureau of Reclamation

November 5th, 1952.

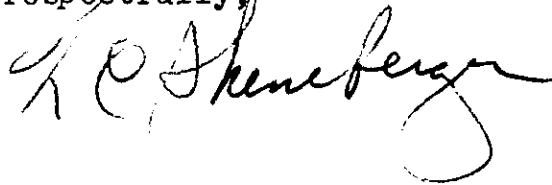
Mr. E. N. Humphrey
Deputy State Reclamation Engineer
Boise, Idaho

In re: Permit No. R-787

Dear Mr. Humphrey:

This will acknowledge your October 21st letter. Mr. Cavanagh would like to have the flood waters of Horse Creek included in his water right and if the request was omitted from the proof, it was entirely through error and oversight. I have nothing in my file to indicate which branch is considered the main branch of Horse Creek. The dam may be on a tributary or it may be on Horse Creek itself. You undoubtedly have access to some map which would indicate the true situation.

Very respectfully,



FCS:okd

R-787

✓
October 21, 1952

RE: Permit No. R-787

Mr. F. C. Sheneberger
Fidelity Bank Building
Twin Falls, Idaho

Dear Mr. Sheneberger:

We have your letter of October 1, 1952, and note that you desire to include flood waters of Horse Creek in the license to be issued in connection with the above numbered permit.

A check of the proofs of completion of works and beneficial use shows that only the springs were covered. A check-up of the map that was submitted with the filing appears to indicate that the dam is on a tributary of Horse Creek.

We know that the dam is across the stream bed below the springs and will impound any of the water flowing down the stream, either flood or spring water, and we are inclined to grant your request regarding the inclusion if we can be sure that the dam is across the main branch of Horse Creek, or you can explain how the water from Horse Creek gets into the system, and providing you furnish us with a statement that waters from Horse Creek were omitted in the proofs by an error.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:fg

R-787

F. C. SHENEGER

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

October 1st, 1952.

RECEIVED
OCT 3 1952
Department of Reclamation

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

Attention: Jeanne L. Anderson, Chief Clerk

In re: Permit No. R-787

Dear Mr. Kulp:

I am enclosing a check of Mr. Cavanagh's
in the amount of \$5.00 in accordance with your
September 27th letter. I note in the letter
that you refer to three-acre feet of water from a
spring in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21, Township 16
South, Range 18, E.B.M.

The application also included flood water
of Horse Creek which I request be included in the
license.

Very respectfully,

F. C. Sheneberger

FCS:okd

Encl.

*chk in cash
envelope*

R-787

✓
September 27, 1952

RE: Permit No. R-787

Mr. Dan Cavanaugh
Fidelity National Bank Building
Twin Falls, Idaho

Dear Mr. Cavanaugh:

We now have on file the report of our field engineer on examination for beneficial use on your Permit No. R-787.

Therefore, upon receipt of the statutory fee of \$5.00, a license will be issued for the storage and appropriation of 3 acre feet of water from your spring in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 21, Township 16 South, Range 18 East, B.M.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

R-787

ok office 1/2

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

September 10, 1952

RECEIVED
SEP 11 1952
Department of Reclamation

Mr. E. N. Humphrey
Deputy State Reclamation Engineer
Department of Reclamation
Boise, Idaho

In re: Permit no. 787

Dear Mr. Humphrey:

This will answer your August 29th letter to Mr. Dan J. Cavanagh regarding inspection of his reservoir.

I will be glad to take you out to this reservoir soon after the first of October and at a time when it may be convenient for you.

If you will let me know a few days in advance, I should not have difficulty in keeping the appointment with you.

Very respectfully,

F. C. Sheneberger

FCS:okd

Pl 96

R-787

August 29, 1952

RE: Permit No. R-787

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

Dear Mr. Cavanagh:

Your letter of August 27, 1952, received and contents noted.

In reply, will advise that it will be necessary for you or someone with authority to represent you, who is familiar with the legal land marks, to accompany me on this inspection. It is necessary for the party from this department making this inspection to locate the point of diversion and location of the reservoir quite accurately, within a 40 acre subdivision.

We have found that almost without exception, a proper inspection cannot be made by an inspector alone. Therefore, if you will notify us several days in advance so that it does not conflict with other appointments, we will attempt to yet make the inspection this fall.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:fg

R- 787

DAN J. CAVANAGH

FIDELITY NATIONAL BANK BLD'G

OFFICE PHONE 56

RANCH PHONE BUHL 314-R3

Livestock

RECEIVED
AUG 28 1952

Department of Reclamation

Twin Falls, Idaho
August 27, 1952

Department of Reclamation
Boise, Idaho.

Att: Mr. E. N. Humphrey
Deputy

Dear Mr. Humphrey:

This will acknowledge receipt of yours of
August 22 inst.

If you will advise a couple of days in advance when you can be in Twin Falls I will make arrangements to see that you are directed to the reservoir in question. I presume that is all that is required for your information. If any other information is necessary please let me know in advance. Unfortunately at the time of your stop in Twin Falls we had an appointment with the Grazing Service but I told my foreman to see that you were taken to the reservoir site after which he could attend to the other matter, assuming you had your own transportation. I would like to have this license issued yet this year.

Very truly yours,

Dan J. Cavanagh
Dan J. Cavanagh

2-787

August 22, 1952

RE: Permit No. R-787

Mr. Dan Cavanaugh
Twin Falls
Idaho

Dear Mr. Cavanaugh:

Your foreman, Mr. Vincente Guissola advised me that he would be busy with the Grazing Service man for some time before he would be free to go with me on an inspection.

Inasmuch as I had a flat tire and had to stop over in Twin Falls long enough for repairs to be made, it was necessary for him to go on to meet his appointment with the Grazing Service man. That left me without any guide into the area and also separated me from Mr. Guissola.

From past experience, I have learned that roads perfectly familiar to a ranch foreman may prove to be booby-traps to a person unacquainted with the region, so I decided to post-pone the inspection until some future time when it will be possible to have someone familiar with the situation accompany me on the trip from Twin Falls or perhaps meet me in Rogerson, to make the inspection.

If you will, at some future date, give this department a range of dates, one of which can be selected for the trip and make it far enough in advance so that it does not interfere with other scheduled inspections, we will attempt to make this inspection later this fall or next year, after which license may be issued under Permit No. R-787.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:fg

R. 787

✓
June 19, 1951

Re: Permit No. R-787

Mr. Dan J. Cavenagh
Twin Falls, Idaho

Dear Mr. Cavenagh:

We have received from Mr. F. C. Sheneberger the Affidavit of Publication in the Twin Falls Times-News, which with the depositions of yourself and two witnesses previously submitted, completes your Proof of Beneficial Use under Permit No. R-787.

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 say just when this examination will be made as this Department has but one Field Engineer who makes examinations all over the State.

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

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn

CC: Mr. F. C. Sheneberger.

R-787

F. C. SHENEBERGER

ATTORNEY AT LAW

FIDELITY NATIONAL BANK BLDG.

TWIN FALLS, IDAHO

June 18, 1951

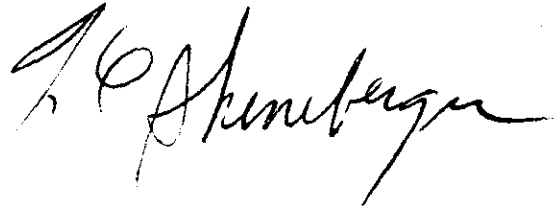
Mr. Mark R. Kulp, State Reclamation Engineer
State of Idaho Department of Reclamation
Boise, Idaho

Re: Permit No. R-787

Dear Sir:

In accordance with your June 15 letter, I
am enclosing Affidavit of Publication which was
over looked in my June 12 letter to you.

Very respectfully,



FCS/pjm
Enc.

RECEIVED
JUN 19 1951
Department of Reclamation

R-787

Nº 3856

STATE OF IDAHO,
COUNTY OF TWIN FALLS

SS.

I, _____, being first duly sworn upon

oath depose and say that I am John of the TIMES-News, published daily, except Saturday, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice or advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for

_____ consecutive _____, commencing with the issue

dated _____, 19____, and ending with the issue dated _____, 19____.

19

And I do further certify that said newspaper is a consolidation, effective Feb. 16, 1942, 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 paper except Saturday, under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 58-408 I.C.A., 1932, as added thereto by Chapter 154, Idaho 1933 Session Laws, Thursday of each week has been designated as the day on which legal notice required 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.

Lisa Moirou

Subscribed and sworn to before me this 17 day of July

19. _____

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

✓
June 15, 1951

Re: Permit No. R-787

Mr. F. C. Sheneberger
Fidelity National Bank Bldg.
Twin Falls, Idaho

Dear Mr. Sheneberger:

We acknowledge receipt of your letter of June 12, 1951, enclosing the depositions of Mr. Dan J. Cavanagh and two witnesses in Proof of Beneficial Use under Permit No. R-787.

However, the Affidavit of Publication which is a necessary part of the proof was not enclosed. The Twin Falls Times-News was instructed to send this Affidavit to Mr. Cavanagh and if he has not received it, we suggest that he take the matter up with them at once.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

CC: Mr. Dan J. Cavanagh.

R-787

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

RECEIVED
JUN 14 1951

Department of Reclamation

June 12, 1951

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

Re: Permit No. R-787

Dear Mr. Kulp:

I am enclosing forms No. 16 and 17 in connection with the proof of application of water to beneficial use in the above matter.

Very respectfully,

F. C. Sheneberger

FCS/pjm
Enc.

7/11/51
13-2

R-787

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. R-787

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

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-787 June 9, 1947. Priority, May 6, 1947.

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

Ans. from spring in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 21-16-18 Twin Falls County, Idaho. Flows into small reservoir

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

Ans. Empounded waters of spring are used only for stock water.

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

Ans. Stock watering only

R-787

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

Ans.

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

Ans.

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. All the spring water flows into the reservoir and is used during the year for stock watering. A Five acre feet.

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

Ans. none.

(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 Idaho, State of Idaho, on this 5th day of June, A. D. 19 51,

Notary Public for Idaho

My commission expires Jan. 4, 1954

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. R. 787

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. Vicente Guisasola, 63, Sheep forman, Buhl, Idaho.

Ques. 2. Are you acquainted with Dan J. Cavanagh, the holder of Permit No. R-787? How long have you known him and where does he reside?

Ans. About ten years. Twin Falls, Idaho

Ques. 3. Have you read or heard read said Permit No. R-787, 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. Spring in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 21-16-18, Twin Falls County, Idaho

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 holds about 5 acre feet

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. _____

R-787

Ques. 7. 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 water from the spring is held in a reservoir. The dam is 10 feet high and about 100 feet long

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. _____

Ques. 9. (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. Water is used for stock watering only

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. no.

Ques. 11. 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 stock watering at this place for several years

(Signed)

Vicente Guisasaola

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 5th day of June, A. D. 1951.

A. C. Chamberlain

Notary Public.

My commission expires Jan. 8, 1954

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. R-787

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. Modesto Guisasola, 26, sheep herder. Buhl, Idaho.

Ques. 2. Are you acquainted with Dan J. Cavanagh, the holder of Permit No. R-787? How long have you known him and where does he reside? Seven years. Twin Falls, Idaho

Ans. _____

Ques. 3. Have you read or heard read said Permit No. R-787, 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. Water from unnamed spring flows into reservoir. Water is used for stock watering. Dam is made of earth, 10 feet high and about 100 feet long.

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 will hold about 5 acre feet

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. x

R-787

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Water is used for stock watering through grazing season

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. _____

Ques. 9. (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. _____

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. no

Ques. 11. 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 been working in that country for several years and have
seen stock using the pond

(Signed)

Melito Gussola

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 5th day of June,
A. D. 19 51.

RC Shumberger
Notary Public.

My commission expires Jan. 4, 1954

✓
June 15, 1949

Re: Permit No. R-787

Mr. Dan J. Cavanaugh
Twin Falls, Idaho

Dear Mr. Cavanaugh:

We enclose Certificate of Completion of Works issued under your Permit No. R-787, for the storage of five (5) acre feet of water from a spring located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 21, Township 16 South, Range 18 East, B.M. for stock watering purposes.

We also enclose Departmental Receipt No. 21549 for the \$5.00 fee paid in connection with this proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

Enc.

R-787

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

June 9, 1949

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

In re: Permit No. R787
Dan J. Cavanagh

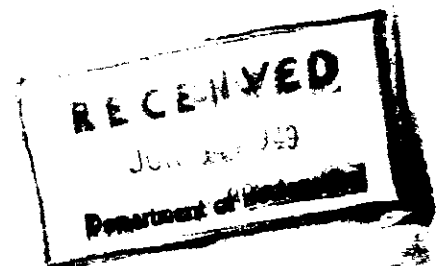
Dear Mrs. Anderson:

I have discussed with Mr. Cavanagh your June 7th letter and have been directed to advise you that he wishes to make proof only on the one spring and dam at this time. At the time the original application was made, Mr. Cavanagh over-estimated the amount of water that might be made available and I believe that his proof of completion of works more nearly reflects the true situation. It may be at some later time that another application will be filed for development of the second spring and dam.

Very respectfully,



FCS:ln



R-787

✓
June 7, 1949

Re: Permit No. R-787

Mr. Dan J. Cavanagh
Twin Falls, Idaho

Dear Mr. Cavanagh:

We are this morning in receipt of a letter from Mr. F. C. Sheneberger, returning Proof of Completion of Works under your Permit No. R-787. However, the proof, as submitted, differs so largely from the original application and Permit that we are again writing you in regard to it.

If you will refer to the Permit, you will note that it calls for the appropriation of 200 acre feet of water from two springs and Horse Creek, to be stored in two reservoirs, one in the SW¹/₄ NW¹/₄ Section 24, Township 16 South, Range 17 East, B.M., and one in the NE¹/₄ NW¹/₄ Section 21, Township 16 South, Range 18 East, B.M.

You will also note that the Permit states that the water is to be used for stock and the irrigation of pasture, described in Question 14 as fifty (50) acres in said Sections 21 and 24.

Your proof only describes one reservoir for the storage of 5 acre feet from one spring and for stock water only.

If it is your intention to only make proof on that amount, a Certificate of Completion of Works will be issued accordingly. On the other hand, if it is your intention to prove up on the amount applied for and the works have been completed, you may file an amended proof on the form which we enclose.

We shall await your further advice in the matter.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

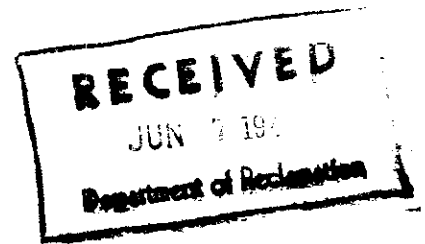
Enc.

CC: Mr. F. C. Sheneberger

R-787

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

June 3, 1949



Mrs. Jeanne L. Anderson
Department of Reclamation
Boise, Idaho

In Re: Permit No. R-787
Dan J. Cavanagh

Dear Mrs. Anderson:

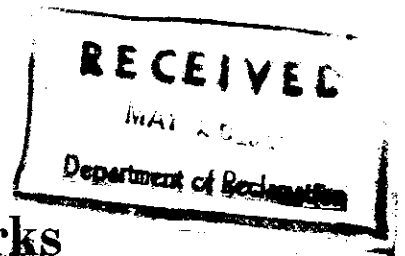
I am returning the proof in the above
matter after having made the requested additions.

Very respectfully,

FCS:ln

R-787

Permit No. R-787



Proof of Completion of Works

DEPOSITION OF HOLDER

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

Ans. Dan J. Cavanagh, Twin Falls, Idaho, Sheep grower

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.

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

Ans. R.787 June 9, 1947, five acre feet storage for stock water from an unnamed spring in NENE 21-16 S. 18 EBM

Ques. 4. Under terms of permit construction was required to be completed by June 9, 1949 19.

Ques. 5. Construction was actually completed on the date of October 1, 1948 19.

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. Yes. Since completion.

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

Ques. 10. The area of the high water line of the reservoir is 3 acres.

Ques. 11. The height of the dam above bottom of reservoir is 10 feet, above low water is 5 feet.

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

Ques. 13. Dimensions of the reservoir outlet are none

Ques. 14. Describe the gate and control unit.

Ans. none

Ques. 15. The reservoir outlet is made of x

Ques. 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-787

RMT

Ques. 18. Does the feeder canal comply with the specifications in the permit?X.....

Ques. 19. If not, explain

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

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.....

Ques. 22. Water has (has not) been delivered to place of intended use? ...yes.....

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.....X Earth dam ten feet high and one hundred feet long with usual slopes. Water surface is not large enough for wave action.

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.....Water is for stock use . There will be no point of diversion as the water is to be impounded for stock watering and not for irrigation.

(Sign here)

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Twin Falls, County of Twin Falls, State of Idaho, on this 24th day of May A.D. 1949.

Notary Public

My commission expires Jan. 5, 1950

Palmer Hoyt, editor and publisher.

LEGAL ADVERTISEMENTS

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

Notice is hereby given that at 10:00 A.M. on the 5th day of June, 1951, at Twin Falls, County of Twin Falls, State of Idaho, before F. C. Sheneberger, Notary Public, proof will be submitted of the application to beneficial use of 200 acre feet per annum of the waters of Two springs & waters of Horse Creek in accordance with the terms and conditions of Permit No. R-787 heretofore issued by the Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Dan J. Cavanagh, Twin Falls, Idaho.

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

The amount applied to beneficial use is 200 acre feet per annum of storage water.

The place where said water is used is SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 24 Township 16 South Range 17 EBM and NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 21, Township 16 South, Range 18 EBM, Twin Falls County, Idaho.

The name of the canal or ditch or other works by which said water is conducted to such place of use is No name.

The right to take water from such works is based upon Permit No. R-787.

The source of supply from which such water is diverted is from two springs on lands of permittee and from waters of Horse Creek.

The date of priority which said user is prepared to establish is May 6, 1947.

MARK R. KULP

State Reclamation Engineer.

Publish: May 7, 14, 21, 28, 1951

NOTICE OF PETITION FOR AUTHORITY

June 1, 1949

Re: Permit No. R-787

Mr. Don J. Cavenagh
Twin Falls, Idaho

Dear Mr. Cavenagh:

We return your deposition submitted
in proof of completion of works under Permit
No. R-787, for completion, as follows:

1. Question 3 should state the source
of the water.

2. Under question 4, give the legal
description of the place of use. Under
question 2., please state the point of diversion.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

R-787

May 4, 1951

Dear Sirs:

This is to acknowledge receipt of the Notice for Publication for Dan. J. Cavanagh, Notice of Proof Application of Water to Beneficial Use.

We have scheduled publication for May 7, 14, 21, 28, 1951.

Upon completion of the 1st publication, we will send you a checking copy. Thank you.

TIMES-NEWS

By

J. Delaney (Miss)
Legal Publ.
Department

R-787

RECEIVED

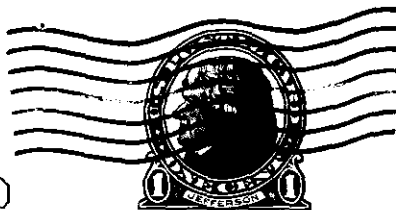
MAY 5 1951

Department of Reclamation



THE OTHER SIDE OF CARD IS FOR ADDRESS

State of Idaho
Department of Reclamation
Boise, Idaho



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. R-787

Date: May 3, 1951

Twin Falls Times-News
Twin Falls, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **June 5, 1951** the date set for proof, the expense of the publication to be paid by the applicant, **Don J. Cavanagh** of **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

Chief Clerk

R-787

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

Notice is hereby given that at 10:00 A. M. on the 5th day of June, 1951,
at Twin Falls, County of Twin Falls, State of Idaho, before
F. C. Sheneberger, Notary Public,, proof will be submitted of the
application to beneficial use of 200 ~~acre~~ ^{acre} ~~feet~~ ^{per annum} of the waters of Two springs &
waters of Horse Creek in accordance with the terms and conditions of Permit No. ~~2827~~ R-787
heretofore issued by the Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Dan J.
Cavanagh, Twin Falls, Idaho

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

The amount applied to beneficial use is 200 acre feet per annum of storage water

The place where said water is used ~~is for irrigation, stock raising and domestic purposes on the~~
~~land irrigated~~ SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 24 Township 16 South, Range 17 EBM and
NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 21, Township 2 16 South, Range 18 EBM., Twin Falls
County, Idaho.

The name of the canal or ditch or other works by which said water is conducted to such place of
use is No name-

The right to take water from such works is based upon Permit No. R-787

The source of supply from which such water is diverted is from two springs on lands
of permittee and from waters of Horse Creek

The date of priority which said user is prepared to establish is May 6
1947

MARK E. KULP
State Reclamation Engineer.

R-787

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date)..... April 16, 1951

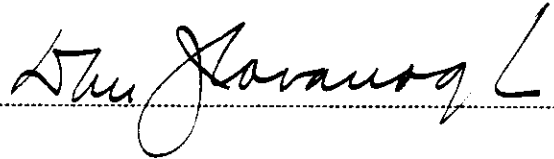
(P. O.)..... Twin Falls, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho.

Dear Sir:

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



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

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

.....
Engineer.

L-787

✓
April 20, 1951

Re: Permit No. R-787

Mr. F. C. Sheneberger
Fidelity National Bank Bldg.
Twin Falls, Idaho

Dear Mr. Sheneberger:

We acknowledge receipt of your letter of April 16, 1951, enclosing Notice of Beneficial Use Proof to be made on June 5, 1951, on Permit No. R-787 of Dan J. Cavenagh.

A copy of the notice will be send to the Twin Falls Times-News with instructions to publish it once a week for four consecutive weeks prior to that date and to send Mr. Cavenagh the Affidavit of Publication, together with statement of costs.

We enclose the necessary forms of deposition to be used in making this proof and at the time set, Mr. Cavenagh should appear before you, together with two disinterested witnesses for the purpose of executing the depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

R-787

F. C. SHENEBERGER

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

April 16, 1951

RECEIVED
APR 17 1951
Department of Reclamation

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

In re: Permit No. R-787
Dan J. Cavanagh

Dear Mr. Kulp:

I am enclosing form No. 10 and copy and executed
form No. 11 in the above entitled matter.

Very respectfully,



FCS/pjm
Enc.

R-787

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

April 2, 1951

Mr. Dan J. Cavanaugh

Twin Falls, Idaho

Dear Sir:

We enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. B-787. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

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

The date for proof, as set out in your permit, is not later than June 9, 1951, and if proof is submitted later than said date, your priority will be brought down a length of time equal to the time elapsing between the date the proof is due and the date proof is actually made.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

B-787

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Mr. Dan J. Cavanaugh

Twin Falls, Idaho

Boise, Idaho April 1, 1949

Dear Sir:-

Under the terms of your permit No. ~~R-787~~-----you are required to complete your diversion works on or before June 9, 1949----- I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

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

Yours truly,

MARK R. KUIP

State Reclamation Engineer

R-787

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

Permit No. R-787

Date June 13, 1947

Dear Sir:

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

Mr. Dan J. Cavanaugh
C/o Mr. F. C. Sheneberger
Fidelity National Bank Bldg.
Twin Falls, Idaho
Encl. Receipt # 19998

MARK R. KULP
State Reclamation Engineer

L-787

C. A. Robins

May 13, 1947

Mr. F. C. Sheneberger
Fidelity National Bank Building
Twin Falls, Idaho

Dear Mr. Sheneberger:

We acknowledge receipt of your letter of May 7th, enclosing the application of Dan J. Cavanaugh to appropriate water from two unnamed springs and flood waters of Horse Creek, accompanied by his check for \$5.00 to apply on the filing fee.

Is it his intention to store the waters from the springs and also the flood waters of Horse Creek in the same two reservoirs, located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 21, Township 16 South, Range 18 East, B.M., and the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 24, Township 16 South, Range 17 East, B.M., as would appear from the sketch map? If that is the case, the application should be made on Form 2, enclosed, which is for stored water.

We note in your statement that you cannot give the exact amount of water applied for, but it will be necessary to state approximately the maximum amount of water to be stored from each source, and the exact amount developed and used can be determined later on when final proof is submitted and field inspection made by an engineer from this Department.

Please also fill in the various questions in this application describing the contemplated works, and under Question 20 give the acreage to be irrigated under each subdivision, and also answer Question 21 as to existing water rights appurtenant to this same land.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encl.

R-787

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

May 7, 1947

Idaho State Commissioner of Reclamation
Boise, Idaho.

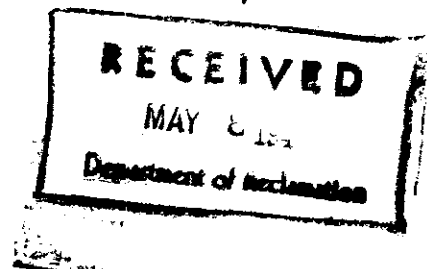
Dear Sir;

I am enclosing water permit application for Mr. Dan J. Cavanagh together with his check for \$5.00. The information given in the application is not definite as to water quantities and a survey or inspection by a water engineer would be necessary to determine the exact spring flows and the run off of the waters of Horse Creek.

Very respectfully,

F. C. Sheneberger

FCS:s



R-787

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

May 29, 1947

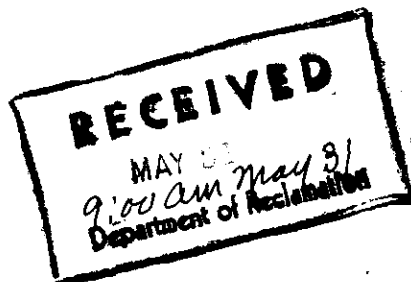
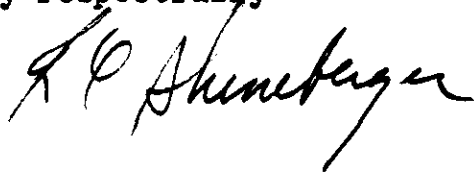
Mr. Mark R. Kulp
State Reclamation Engineer
Department of Reclamation
Boise, Idaho.

Dear Mr. Kulp;

I am enclosing water storage application for Mr
Dan J. Cavanagh in accordance with your May 13th letter.

Very respectfully

FCS:s



R-787

NAME OF APPLICANT

Dan J. Cavanagh

FORM No. 0

T 16 S 0 - R 18 E B M

T 16 S 0 - R 17 E B M

Horse Creek

Spring - To 24

19

20

21

Permit Map No. R-787
As Approved
JUN 9 1987
MARK R. KULP
State Reclamation Engineer

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

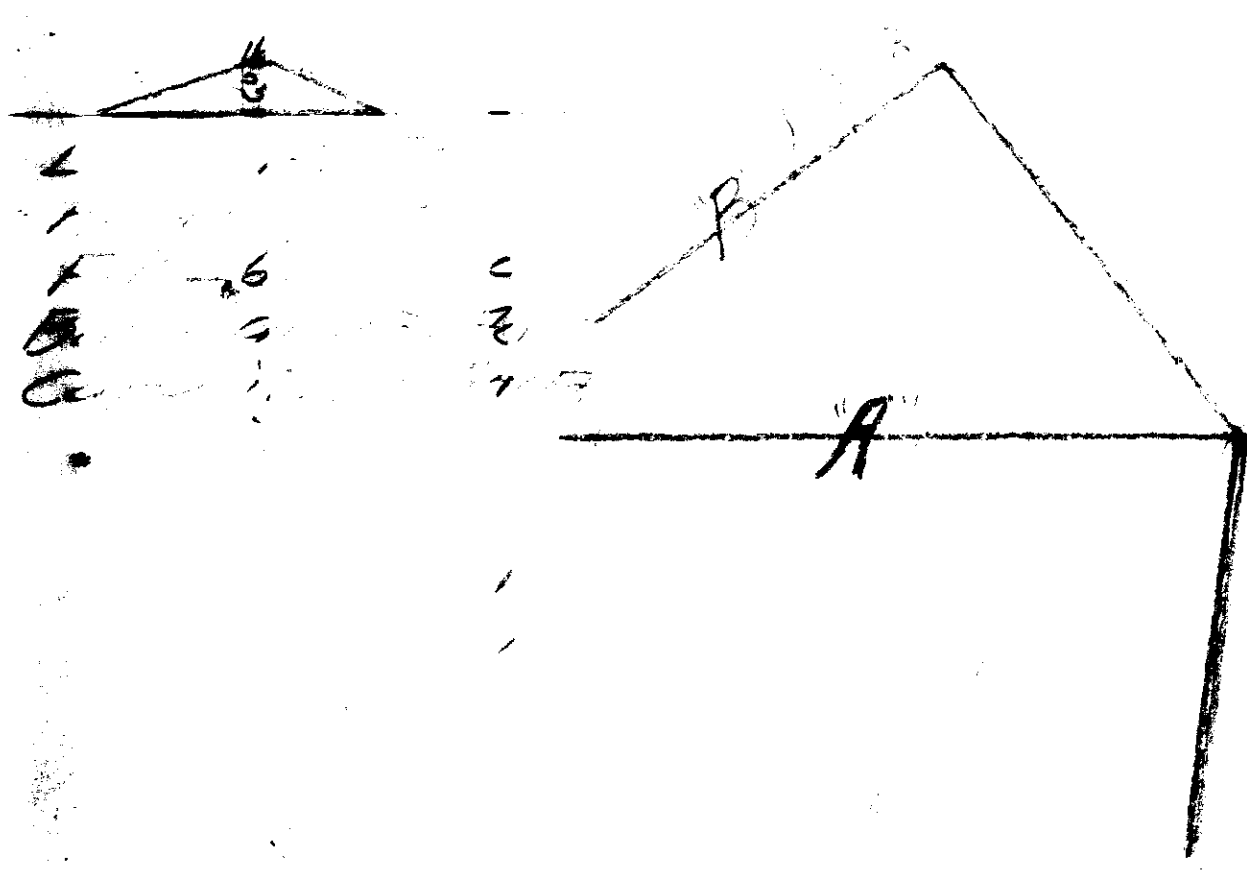
R-787

Shall we include Horse Creek in
the license?

The original filing mentioned
Horse Creek-but said nothing about
any particular branch.

Let Thomas know *yes* *R-487*

Recd Mar 31-53
 fr. W. F. Williams
 R-760



W. F. Williams
 R-760