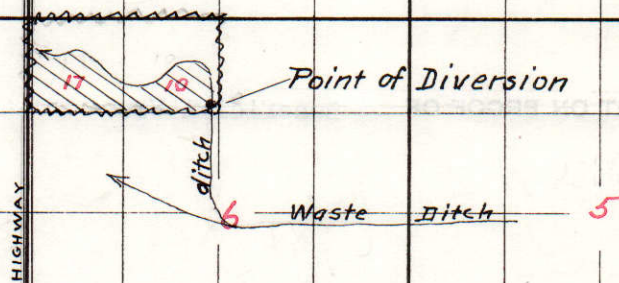


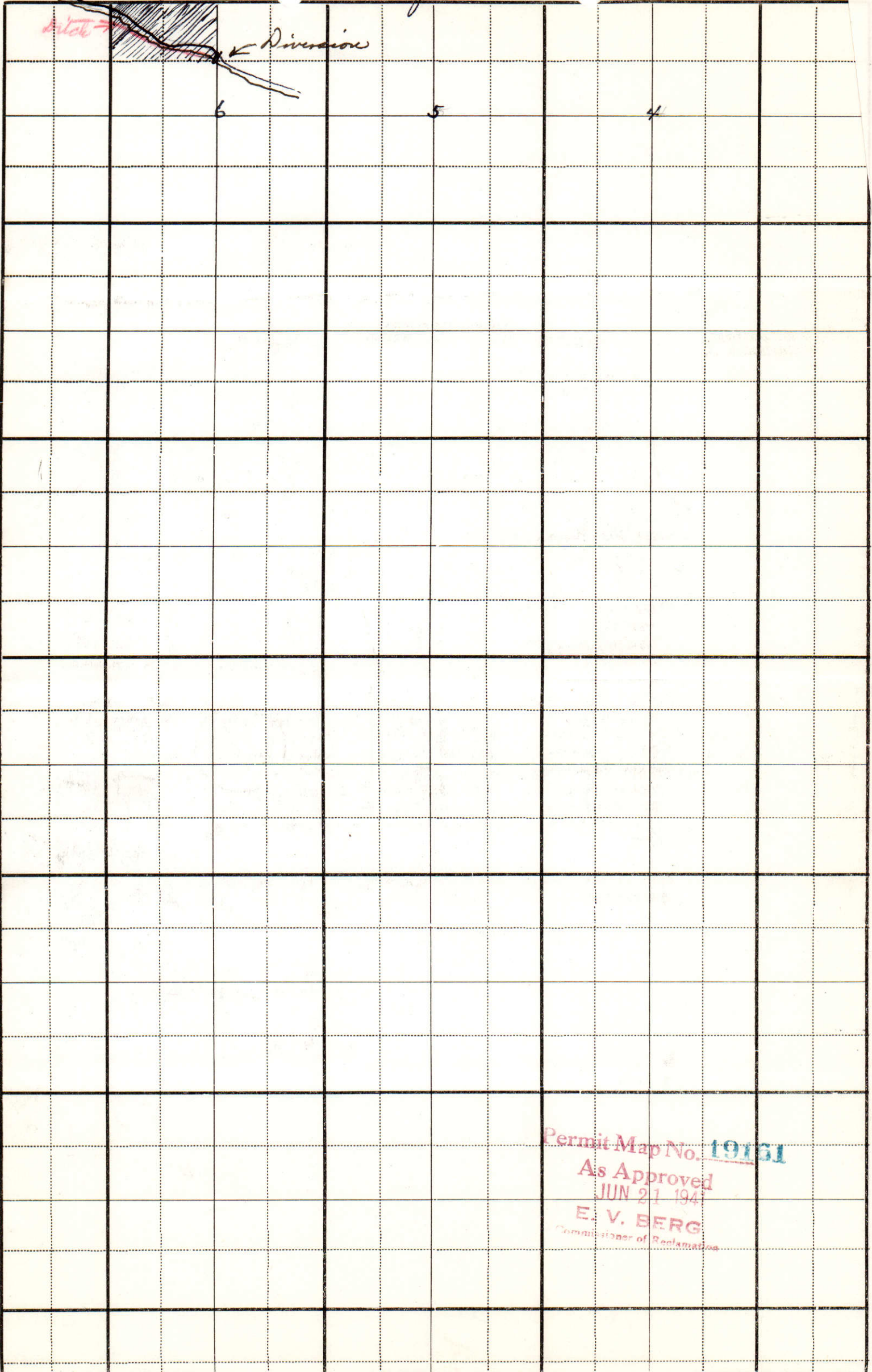
STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE  
REPORT OF ENGINEER  
PERMIT NO. 1282



NAME OF APPLICANT

*Herman Gilfillan*

FORM No.



Permit Map No. 19161  
As Approved  
JUN 21 1941  
E. V. BERG  
Commissioner of Reclamation

# State of Idaho

## License and Certificate of Water Right

Water License No. 19161

Amount 0.54 second foot

Water District No.

Priority June 19, 1941

THIS IS TO CERTIFY that **HERMAN GILFILLAN**  
 of **Filer, Idaho**, made application for a permit to appropriate the  
 public waters of the State of Idaho, dated **June 19**, 19**41**; that Permit No. 19161  
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of  
**One** second feet, was issued thereunder on **August 23**, 19**41**, showing that said works  
 were completed on the **18th** day of **August**, 19**41**; and that on the **20th**  
 day of **September**, 19**41**,

**HERMAN GILFILLAN**

of **Filer**, State of **Idaho**, made proof to the satisfaction of the  
**Commissioner of Reclamation** of Idaho, of the right to use the waters of **an unnamed**  
**stream**, a tributary of , for the purpose of **irrigation and**  
**domestic use**, under Use Permit No. 19161 of the **Commissioner 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 ~~Commissioner of Reclamation~~ **State Reclamation Engineer** of Idaho and entered of record in Volume 7  
 of Licenses, at page 4156, on the **15th** day of **March**, 19**43**;

The right hereby confirmed dates from **June 19**, 19**41**;

The Point of Diversion is located in the **SE corner of Lot 3, Sec. 6, Twp. 11 S., Range 16 E.**  
 in the **Lot 3**  $\frac{1}{4}$  **Sec. 6**, Twp. **11 S.**, R. **16 E.**, B. M. **Twin Falls County**

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid,  
 is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed **0.54**  
 cubic feet per second.

Description and location of use:

| Twp.  | Range | Sec. | Forty-acre Tract                    | No. Acres<br>Described in Permit | No. Acres<br>Actually Irrigated |
|-------|-------|------|-------------------------------------|----------------------------------|---------------------------------|
| 11 S. | 16 E. | 6    | NE $\frac{1}{4}$ NW $\frac{1}{4}$   | 8                                | 10                              |
|       |       |      | NW $\frac{1}{4}$ NW $\frac{1}{4}$   | 19                               | 17                              |
|       |       |      | Total Number of Acres Irrigated - - | - -                              | 27                              |

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use  
 herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho,  
 this **15th** day of **March**, 19**43**

(SEAL)

~~Commissioner of Reclamation~~  
 State Reclamation Engineer

47 2220

State of Idaho  
License and Certificate of Water Right

Water License No. 18946 Amount 1 second foot  
Water District No. Priority June 3, 1941

THIS IS TO CERTIFY that MARION PIPE LINE COMPANY  
of Oakley, Idaho, made application for a permit to appropriate the  
public waters of the State of Idaho, dated February 23, 1940; that Permit No. 18946  
was issued under said application; that Certificate of Completion of works, with a carrying capacity of  
1 second feet, was issued thereunder on November 6, 1941, showing that said works  
were completed on the 28th day of October, 1941; and that on the 6th  
day of December, 1941,

MARION PIPE LINE COMPANY  
of Oakley, Idaho, State of Idaho, made proof to the satisfaction of the  
Commissioner of Reclamation of Idaho, of the right to use the waters of Simmons  
Springs, a tributary of, for the purpose of stock and domestic  
use, under Use Permit No. 18946 of the Commissioner 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  
Commissioner of Reclamation of Idaho and entered of record in Volume 7  
of Licenses, at page 4157, on the 15th day of March, 1943;

The right hereby confirmed dates from June 3, 1941;

The Point of Diversion is located 2045 ft. distant from the West 1/4 corner Section 11,  
in the NE 1/4 SW 1/4, Sec. 11, Tp. 14 S., R. 21 E., B. M. Cassia County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid,  
is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed One (1)  
cubic feet per second.

Description and location of use:

| Twp. | Range | Sec. | Forty-acre Tract | No. Acres<br>Described in Permit | No. Acres<br>Actually Irrigated |
|------|-------|------|------------------|----------------------------------|---------------------------------|
|      |       |      |                  |                                  |                                 |

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use  
herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho,  
this 15th day of March, 1943

JAMES SPOFFORD

Commissioner of Reclamation  
State Reclamation Engineer

(SEAL)

# APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

S. T. Hamilton  
Twin Falls, Idaho

Application No. 26628  
Permit No. 19161  
District No.

- 47-2220
1. Name of Applicant: HERMAN GILFILLAN  
 Postoffice address: Filer County: Twin Falls State: Idaho  
 I. If applicant is a corporation, give:  
 (a) Date and place of incorporation:  
 (b) Amount of capital stock:  
 (c) Amount paid in:  
 (d) Names and addresses of directors:  
 II. The financial resources of the applicant are:  
 (a) Cash on hand:  
 (b) Treasury stock:  
 (c) Bonds to be issued:  
 (d) Other resources:
  2. Quantity of water claimed: One cubic feet per second.
  3. Source of water supply: unnamed stream which is a tributary of
  4. Location of point of diversion: SE corner of Lot 3 feet distant from the  
 corner of Section , T. , R. , B. M., and is the Lot 3  
 of Section 6 , T. 11S , R. 16 E , B. M., County of Twin Falls
  5. Water is to be used for: Irrigation & domestic use.
  6. If for mining, milling, power or manufacturing purposes, give:  
 (a) Point of use of water: feet distant from corner of Section  
 T. , R. , B. M., in the of Section , T. , R. , B. M.  
 (b) Amount of power generated: H. P., under feet head.  
 (c) Water is to be returned to at a point feet  
 distant from the corner of Section , T. , R. , B. M., in the  
 of Section , T. , R. , B. M.
  7. Estimated cost of works: \$ 25.00
  8. Kind of works: ditch to turn stream into ditch.
  9. Height of dam none feet; length of dam at top feet; length of dam at bottom  
 feet; material used in dam:
  10. Size of headgate: Width none feet; height feet.
  11. Ditch: Width at bottom 3 feet; width at water line 4 feet; depth of water 1  
 feet; dimensions of flume:  
 Diameter of pipe inches; length of conduit one half miles.  
 Average grade per mile 10 feet.
  12. The time required for the completion of such work is 2 months ~~years~~.
  13. The time required for the complete application of the water to the proposed use is none ~~additional years~~.
  14. The land to be irrigated is described in the following tabulation: See remarks.

| Twp.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Range | Sec. | NE1/4 |       |       |       | NW1/4 |       |       |       | SW1/4 |       |       |       | SE1/4 |       |       |       | Totals |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|--------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |       |      | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 |        |
| 11S                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 16E   | 6    |       |       |       |       | 8     | 19    |       |       |       |       |       |       |       |       |       | 27    |        |
| APPROVAL OF COMMISSIONER OF RECLAMATION.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
| I, E. V. BERG, Commissioner of Reclamation of the State of Idaho, hereby extend the time for the making of proof of under Permit to Appropriate the Public Waters of the State of Idaho, no. 19161 to Sept. 20, 1941.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
| Witness my hand this 23rd day of August, 1941.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
| E. V. BERG.<br>Commissioner of Reclamation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
| -----                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
| PERMIT NO. 19161                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
| CERTIFICATE OF COMPLETION OF WORKS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
| TO ALL WHOM IT MAY CONCERN:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
| This is to certify that HERMAN FILFILLAN OF Filer, County of Twin Falls, and State of Idaho, the holder of issued upon Application No. 26628 bearing date of priority of June 19, 1941, authorizing the diversion of one second of an unnamed stream, County of Twin Falls, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and Permit; that said works are adequate for diverting and conveying to the place of intended use one second foot of the named stream, that the point of diversion of said waters is in Lot 3, Sec. 6, Twp. 11 S., Rge. 16 E., B. M., and the lands proposed to be irrigated by the use of said water are described as follows, to wit: NE1/4NW1/4, NW1/4NW1/4, Sec. 6, Twp. 11 S. |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
| Witness my hand this 23rd day of August, 1941.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
| E. V. BERG, COMMISSIONER OF RECLAMATION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
| Completion made: August 18, 1941<br>Certificate issued: Aug. 23, 1941.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
| -----                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
| LICENSE ISSUED FOR 0.54 SEC. FT.<br>P. 4156                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |

C. A. Stalfson  
~~XXXXXXXXXX~~

~~XXXXXXXXXXXXXXXXXXXX~~  
James Spofford, State Reclamation Engineer

March 15, 1943

Re: Permit No. 19161

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

Dear Mr. Hamilton:

We are enclosing herewith License and Certificate of Water Right issued under the above numbered permit in the name of Herman Gilfillan, confirming his right to use 0.54 second foot of water from an unnamed stream, with a date of priority of June 19, 1941, for irrigation and domestic use on 27 acres in the N $\frac{1}{2}$  NW $\frac{1}{4}$  Section 6, Township 11 South, Range 16 East, B. M.

The Departmental Receipt No. 19039 for the \$4.00 fee in connection with beneficial use proof is also enclosed

Very truly yours,

JAMES SPOFFORD  
State Reclamation Engineer

By

Chief Clerk

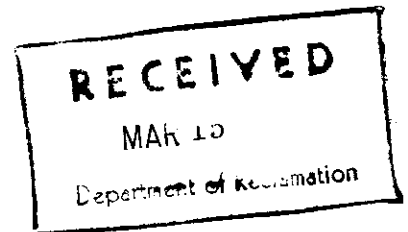
A  
Encls.

19161

LAW OFFICES OF  
**S. T. HAMILTON**  
TWIN FALLS, IDAHO

March 12, 1943

Honorable James Spofford,  
Commissioner of Reclamation  
Boise, Idaho



Dear Mr. Spofford:

Herewith check \$4.00 in payment for proof of Beneficial  
Use of water, Herman Gilfillan. I do not have the  
number of his permit, but your office wrote a letter  
regarding the amount within this month.

Very truly yours,

S. T. Hamilton

STH:EJ

19161

C. A. Bottolfson  
XXXXXXXXXXXX

XXXXXXXXXXXXXXXXXXXX  
James Spofford, State Reclamation Engineer

March 8, 1943

Re: Permit No. 19161

Mr. Herman Gilfillan  
C/o Mr. C. P. Hamilton,  
Twin Falls, Idaho

Dear Mr. Gilfillan:

We have received the report of our Field Engineer on examination for beneficial use under the above numbered permit.

His report shows that the works would be capable of conducting to the place of use 0.54 second foot of water from an unnamed stream; and inasmuch as the land you are irrigating covers a portion of two 40-acre legal subdivisions, the statutory fee will amount to \$4.00.

Upon receipt of this fee, a license will be issued.

Very truly yours,

JAMES SPOFFORD  
State Reclamation Engineer

A

By

Chief Clerk

19161

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

## REPORT OF ENGINEER

Permit No. 19161.....

This proof is for Beneficial Use.....

In Water District No.....

1. Name of applicant..... Herman Gilfillan, Filer, Idaho.....
2. Source of water supply:..... unnamed stream.....
3. Location of point of diversion: Is in the..... SE..... corner of Lot 3..... of Section 6.....  
T. 11 S..... R. 16 E..... County of Twin Falls.....
4. Describe works as they exist, giving dimensions and capacities of same: A small ditch diverts directly from a larger drain ditch without the use, or need for structures of any kind. Diversion ditch is 1 foot wide, and 1½ feet deep.....
5. Water is used for: irrigation & domestic use.....
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 for other than irrigation): N½NW¼, Sec. 6, Twp. 11 S., Rge. 16 E.....

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

8. What large stream would the water here appropriated finally reach?..... None.....

Remarks:.....

Water included in this filing is principally drainage from irrigated lands above.

This examination was made on the 3rd. day of June, 1942.

(Signed)

*Red A. Tolman*  
Examiner.

15  
Herman Gilfillan

Filer, Idaho

Permit No. 19161

Examination for Beneficial Use

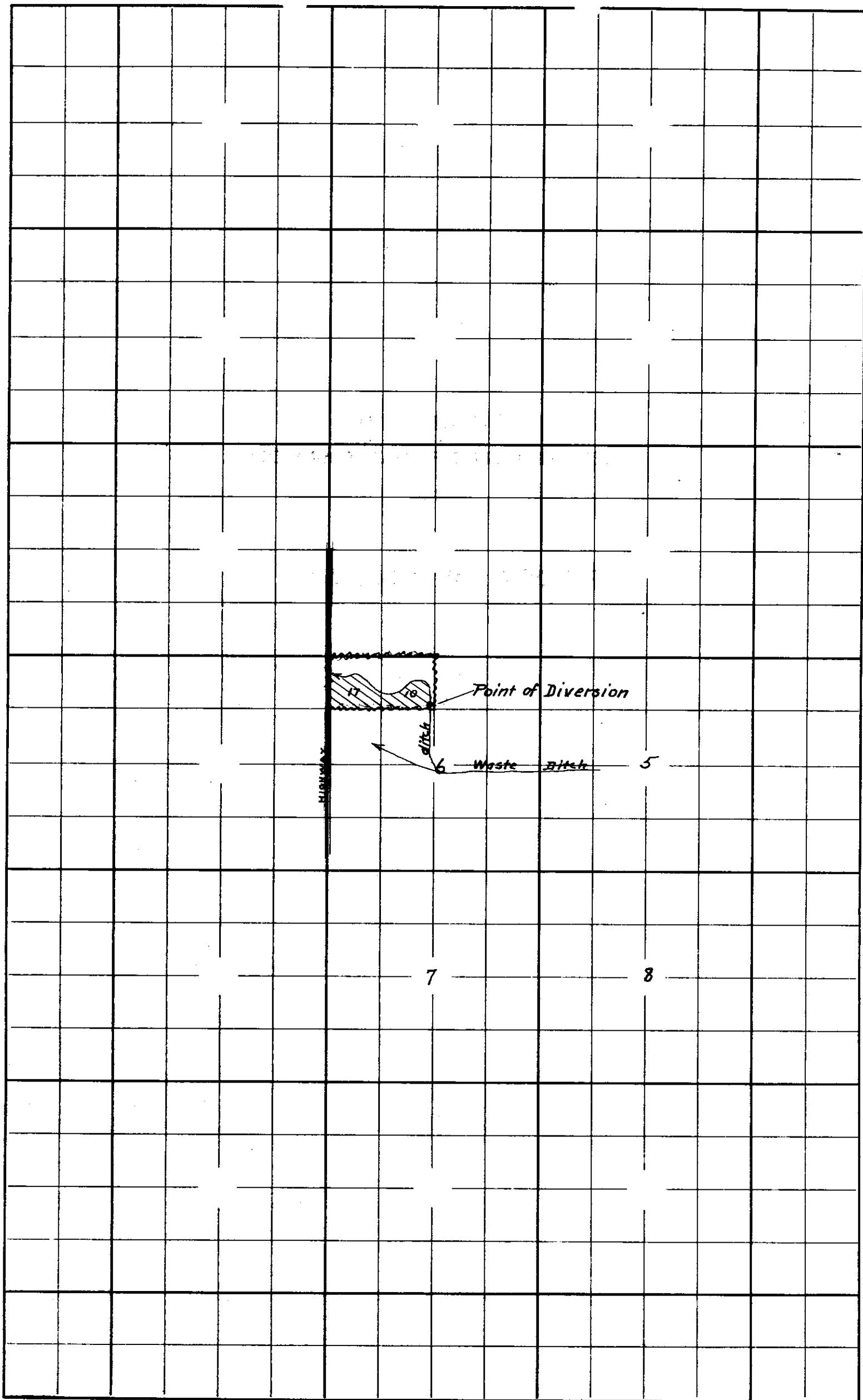
County Twin Falls

---

### 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 a 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.
-



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

19161

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE

REPORT OF ENGINEER

PERMIT NO. 19161

REPORT ON PROOF OF Beneficial Use

8-19

app. 1 af.

54 ac ft.

27 acres in 2-40's

4<sup>00</sup> fee -

Q. H. of 54 L. ft.

J. H. T.

Sept. 24, 1941

Re; 19161

Mr. S. T. Hamilton  
Twin Falls, Idaho

Dear Mr. Hamilton:                      Herman Gilfillan.

Many thanks for the depositions and the  
affidavit of publication from the Twin Falls paper.  
In due course of time Mr. Tolman will make the field  
examination and you will be notified of the fee.

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

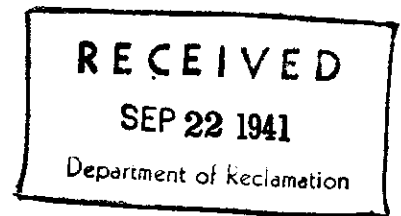
BY: Chief Clerk.

ml.

19161

LAW OFFICES OF  
**S. T. HAMILTON**  
TWIN FALLS, IDAHO

September 20, 1941



Hon. E. V. Berg  
Commissioner of Reclamation  
Boise

Dear Mr. Berg:

Herewith is Proof of Application of water to  
Beneficial Use Herman Gilfillan under permit #19161 with  
deposition of two witnesses Howard J. Armstrong and  
Orville E. Parrott. Also find Proof of Publication.

Very truly yours,

A handwritten signature in dark ink, appearing to be "S. T. Hamilton". Below the signature, the name "S. T. Hamilton" is printed in a small, sans-serif font.

S. T. Hamilton

STH:CD  
Enclosures 4

19161

# Affidavit of Publication

## NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M. on the 20th day of September, 1941, at Filer, County of Twin Falls, State of Idaho, before S. T. Hamilton, a Notary Public, proof will be submitted of the application to beneficial use of 10 cubic feet per second of the waters of an unnamed stream in accordance with the terms and conditions of Permit No. 19161 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Herman Gillilan, Filer, Idaho.

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

The amount applied to beneficial use is 10 second feet.

The place where said water is used: NE  $\frac{1}{4}$ , NW  $\frac{1}{4}$ , NW  $\frac{1}{4}$  NW  $\frac{1}{4}$ , Sec. 6, Twp. 11 S., 16 E., B.M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is unnamed.

The right to take water from such works is based upon Permit No. 19161.

The source of supply from which such water is diverted is unnamed stream.

The date of priority which said user is prepared to establish is June 19, 1941.

E. V. BERG,  
Commissioner of Reclamation.

RECEIVED

SEP 22 1941

U.S. DEPARTMENT OF AGRICULTURE

TWIN FALLS COUNTY CITIZEN-RECORD  
FILER, IDAHO

19161

# Affidavit of Publication

STATE OF IDAHO }  
County of Twin Falls } ss.

I, Harold J. Tate  
being first duly sworn on oath, say:

That I am publisher  
of the Twin Falls County Citizen-Record, a newspaper of general circulation in Twin Falls County, Idaho, published weekly at Filer in said County and State; that a true copy of the annexed notice was published in the regular and entire issue of said newspaper,

and not in any supplement thereof, for 4  
consecutive weeks, commencing with the issue

dated Aug 28, 1941, and ending with  
the issue dated Sept 18, 1941

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

Harold J. Tate

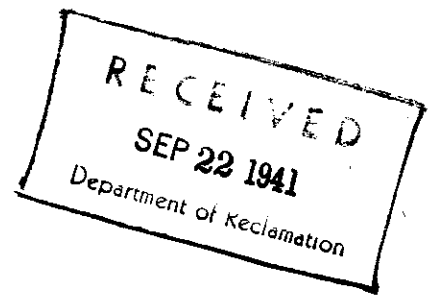
Subscribed and sworn to before me this 19

day of Sept, 1941

E. M. Rayburn  
Notary Public for the State of Idaho,  
residing at Filer, Idaho

(My Commission Expires Apr 16, 1945)

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO



Permit No. 19161

## Proof of Application of Water to Beneficial Use

### Deposition of Holder

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

Ans. Herman Gilfillan, Filer, Idaho. Occupation--farmer.  
Filer Route #2.

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. Not acting for Corporation.

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

Ans. June 21, 1941--No. 19161--date of priority June 19, 1941.

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

Ans. Unnamed stream. Location of point of diversion Southeast corner Lot 3 of Sec. 6, T 11 S, R 16 E.B.M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. Works of diversion is a ditch to turn stream for irrigation. Not less than one cubic foot per second. Ditch has no name. Water is diverted and used on the land.

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

Ans. Irrigation and domestic use. 3 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 19 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ . Cultivated crops. Improvements are increasing value of land from water right.

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

Ans. Irrigation only.

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

Ans. One cubic ft. per second.

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

Ans. Permit originally issued to me.

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

Ans. Water used under permit in irrigation season 1941 on the land to which it was made appurtenant. This water has been used on the land for several years prior to the application for permit.

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. No Other water right is appurtenant to this land. Some waters wasted from other lands owned by me are spread on this land when waste happens.

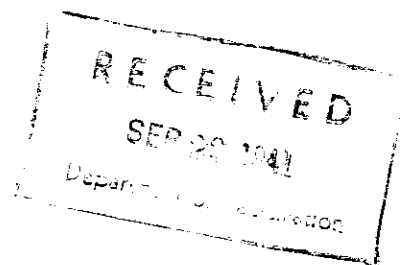
(Sign) *Herman Gillan*

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 20th day of September, A. D. 1941.

*[Signature]*  
Notary Public for Idaho  
Residing at Twin Falls, Idaho.

My commission expires.....

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO



PERMIT NO. 19161

## 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. Orville E. Parrott Age 87 years. Residence Twin Falls, Idaho  
Route #1 Farmer.

Ques. 2. Are you acquainted with Herman Gilfillan yes., the  
holder of Permit No. 19161? How long have you known him and where does he reside?

Ans. Known him for about 15 years--Filer, Idaho Route #2.

Ques. 3. Have you read or heard read said Permit No. 19161, 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. Unnamed stream Southeast corner of Lot 3, Sec. 6, T. 11-S.  
Range 16 E.B.M. Diverts the stream into the ditch.

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. Two cubic feet per second. Have seen probably 1 1/2 cubic feet.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each  
sub-division 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 improvement which have  
been made as a direct result of said use.

Ans. Irrigation. Lots 3 and 4 Section 6. Lot 3 about 9 acres.  
Lot 4 about 13 acres. Cultivated land.

19161

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

Ans. Only 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. Desert land and needs water for cultivation. 1 cubic foot of water.

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

Ans. No.

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

Ans. In 1941 and for several years prior.

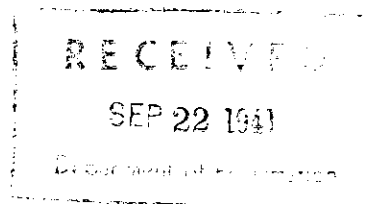
(Signed) Orville E. Parrott

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 20th day of September, 1941.

Notary Public residing at Twin Falls, Idaho.

My commission expires

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO



PERMIT NO. 19161

## 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. Howard J. Armstrong Age 57 yrs., Filer, Idaho. Farmer.

Route #2, Filer, Idaho.

Ques. 2. Are you acquainted with Herman Gilfillan Yes, the holder of Permit No. 19161? How long have you known him and where does he reside?

Ans. Known him ten years, and he resides at Filer, Idaho Route #2.

Ques. 3. Have you read or heard read said Permit No. 19161, and are you familiar with its provisions and conditions?

Ans. Yes am familiar with its conditions.

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. Unnamed stream Southeast corner of Lot 3, Sec. 6, Township 11  
South Range 16 E.B.M. Works consist of a ditch turning the stream  
on the land.

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. One cubic foot per second. Have seen three feet at times.  
The stream is not regular.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division 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 improvement which have been made as a direct result of said use.

Ans. Irrigation in NW $\frac{1}{4}$  of NW $\frac{1}{4}$  about 8 or 9 acres and about 18 or  
20 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 6 T. 11 South, Range 16 E.B.M.  
Cultivated land. No improvements except increased value of land.

*Howard J. Armstrong*  
*1941*

*19161*

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

Ans. Only for 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. Desert and will not produce agricultural crops without 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. No.

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

Ans. In 1941 and for about three years. The water was used on the land before this year. Have seen as much as 2 or 3 cubic ft. diverted ~~on~~ when this amount was in the stream.

(Signed)

*Howard J. Armstrong*

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 20th day of September, A. D. 1941.

My commission expires

*[Signature]*  
Notary Public.  
Notary Public residing at Twin Falls, Idaho.

# State of Idaho

## DEPARTMENT OF RECLAMATION

BOISE

### INSTRUCTIONS

#### PROOF OF BENEFICIAL USE OF WATER

Re: 19161

Sept. 10, 1941

Boise, Idaho,

Mr. S. T. Hamilton  
Twin Falls, Idaho

Dear Sir:

Herman Silfillan

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 19161

Deposition of Permit Holder,

Depositions of Two Witnesses.

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

1. On Sept. 20, 1941, the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at Twin Falls before S. T. Hamilton, Notary Public

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice.

When these have been received, together with report of the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued.

Yours truly,

E. V. BERG.

Commissioner of Reclamation.

19161

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

Re: 19161

Citizen Record  
Filer, Idaho

Date August 22, 1941. . . . .

Dear Sir:

Enclosed you will find notice for publication once a week  
for four consecutive weeks prior to **Sept. 20, 1941**, the date  
set for proof, the expense of the publication to be paid by the appli-  
cant, **Herman Gilfillan, Filer, Idaho**

to whom you should furnish proof of publication on or prior to the date  
set for proof.

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

Very truly yours,

**E. V. BERG.**

Commissioner of Reclamation

19161

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

Notice is hereby given that at....**10:00**A. M. on the...**20**...day of...**Sept.**....., 19**41**.,  
 at....**Filer**....., County of....**Twin Falls**....., State of Idaho, before  
 .....**S. T. Hamilton**., a Notary Public,....., proof will be submitted of the  
 application to beneficial use of...**1.0**.....cubic feet per second of the waters of. ~~an~~.....  
**unnamed stream**.....in accordance with the terms and conditions of Permit No...**19161**..  
 heretofore issued by the.....**Commissioner of Reclamation**.....of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are.....  
 ....**Herman Gilfillan, Filer, Idaho**.....

The use to which said water has been applied is **irrigation & domestic use**.....

The amount applied to beneficial use is **1.0 sec. ft.**.....

The place where said water is used ~~(if for irrigation, give full and accurate description of the~~  
~~land)~~ **NE 1/4, NW 1/4, Sec. 6, Twp. 11 S., 16 E., B. M.**.....  
 .....  
 .....  
 .....  
 .....

The name of the canal or ditch or other works by which said water is conducted to such place  
 of use is ..... **unnamed**.....

The right to take water from such works is based upon Permit No. **19161**.....

The source of supply from which such water is diverted is .....  
 ..... **unnamed stream**.....

The date of priority which said user is prepared to establish is. **June 19, 1941**.....  
 (June 19, 1941)

**E. V. BERG**

Commissioner of Reclamation.

19161

August 23, 1941

Re: 19161

Mr. S. T. Hamilton  
Twin Falls, Idaho

Dear Mr. Hamilton:

We have recorded the extension of time for making Beneficial Use proof until Sept. 20, 1941, approval slip is enclosed and should be attached to Mr. Gilfillan's permit. Notice for publication has been forwarded to the Filer newspaper.

We are enclosing certificate of completion of works on the above permit for the use of one second foot of the waters of an unnamed stream to be used for domestic and irrigation purposes on the NE<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>, NW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> of Section 6, Twp. 11 S., Rge. 16 E., B. M., with a priority date of June 19, 1941.

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

BY: Chief Clerk.

ml.  
encl. R#17945, \$5.00.

19161

LAW OFFICES OF  
**S. T. HAMILTON**  
TWIN FALLS, IDAHO

August 18, 1941

Hon. E. V. Berg  
Commissioner of Reclamation  
Boise, Idaho

Dear Commissioner:

I have your letter of August 11th 1941. I am enclosing herewith Proof of Completion of Works together with fee \$5.00 which will be filed when it reaches your office. I also enclose Application for Extension of time within which to make Proof of Beneficial Use. I think it best not to set up the time for Proof of Beneficial use as the original permit was sent to Blackfoot and they may not understand why this change was made.

I enclose the notice for publication and also the letter directing publication in Citizen Record at Filer, Idaho at the expense of Herman Gilfillan.

Very truly yours,

  
S. T. Hamilton

STH:CD  
Enclosures 6

19161

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) August 18th, 1941

(P. O.) Filer, Idaho

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

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

Norman Giffen

(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.

19161

STATE OF IDAHO  
Department of Reclamation

Permit No. 19161

Application for Extension of Time for Beneficial Use Proof

STATE OF IDAHO }  
County of Twin Falls } ss

Herman Gilfillan, of Filer, Idaho

State of \_\_\_\_\_, being first duly sworn, upon his oath deposes and says:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. 19161

That, under the terms and conditions of said permit, proof of beneficial use thereunder was required to be made by August 21, 1941.

That he has heretofore put to beneficial use three tenths second feet of water and has irrigated fifteen acres.

That, for the following reasons, he is unable to put to beneficial use within the required time the remainder of the water appropriated under his permit, to-wit:

Had no help to irrigate and could get no one and

I could not do the necessary work to make full beneficial use.

WHEREFORE, He asks that the Commissioner of Reclamation extend the time for the making of proof of beneficial use under said permit to September 20, 1941.

Subscribed and sworn to before me this 18th day of August, 1941.

My commission expires \_\_\_\_\_

Notary Public.

Date of receipt at office of Department of Reclamation August 21, 1941, 3:00 P.M.

APPROVAL OF COMMISSIONER OF RECLAMATION.

I, E. V. BERG, Commissioner of Reclamation of the State of Idaho, hereby extend the time for the making of proof of Beneficial Use under Permit to Appropriate the Public Waters of the State of Idaho, No. 19161 to

Sept. 20, 1941

Witness my hand this 23rd day of August, 1941.

Commissioner of Reclamation.

Permit No. 19161

STATE OF IDAHO  
Department of Reclamation

# Proof of Completion of Works

## AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Twin Falls

} ss.

Herman Gilfillan

, being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho, No. 19161, and that his postoffice address is Filer State of Idaho.

Second: That the name of the stream from which said water is to be directed is an unnamed stream

Third: That the point of diversion of said water is

SE corner of Lot 3

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by August 21, 1941.

Fifth: That the use for which said water is intended is Irrigation & domestic use.

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

1. Kind of works: ditch to turn stream into ditch

(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work: None

(a) Height of dam None feet, length of dam at top feet, length of dam at bottom feet. Material used in construction

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

(b) Capacity of reservoir acre feet.

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

(d) Conduit width at bottom 3 feet, width at water line 4 feet, depth of water 1 feet; diameter of pipe inches, average grade per mile is feet. Length of conduit is 1/2 miles.

Seventh: That said works are capable of conducting to the place of intended use one cubic second feet of water.

Eighth: That water appropriated under said permit is available for 15 acres of land described as follows: (NE 1/4, NW 1/4) (NW 1/4, NW 1/4) Twp. 11 S. Range 16 E. Section 6

Ninth: Remarks: That

Herman Gilfillan  
(Sign here)

Subscribed and sworn to before me this 18th day of August, 1941

My commission expires 2/9/44

Notary Public

19161

August 11, 1941

Re: 19161

Mr. S. T. Hamilton  
Twin Falls, Idaho

Dear Mr. Hamilton:

We are enclosing forms for publication of Beneficial Use proof and authorization to publish same in a Twin Falls County newspaper. It is too late to publish once a week for four consecutive weeks and make proof on the 21st day of August, but we can step up the priority date to July 18th from June 19th and make proof on the 20th of Sept.

We are also enclosing form #6 on which Mr. Gilfillan should make proof of Completion of Works before a Notary Public on the 21st of August, the date set for proof.

If you do not wish to have the priority date advanced to July 18th, you may have Mr. Gilfillan sign the enclosed extension application setting Beneficial Use proof for Sept. 20th. We will record the same and the priority date will remain at June 19th. We should have this extension on file before the 21st.

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

BY: Chief Clerk.

ml.  
encl.

19161

LAW OFFICES OF  
**S. T. HAMILTON**  
TWIN FALLS, IDAHO

August 8, 1941

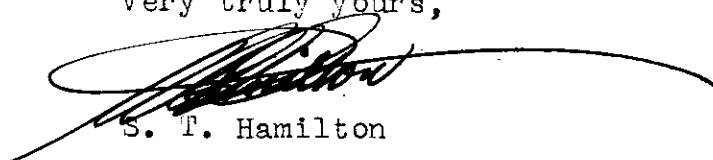


Hon. E. V. Berg  
Commissioner of Reclamation  
Boise, Idaho

Dear Commissioner:

Herman Gilfillan desires to make Proof of Completion of Works and Proof of Beneficial use to permit No. 19161. Advertisement, I think, should be in the Filer Record, a newspaper published nearest the land. Mr. Gilfillan is very busy with his work on the ranch taking care of his crops and you may send the blank application to make this proof here and if he should not be in town, I will sign it for him and return it without delay. The application will be published in the Filer Record and the date at which proof will be made under this permit can be fixed by you.

Very truly yours,



S. T. Hamilton

STH:CD

19161

July 28, 1941

Re: 19161

Mr. S. T. Hamilton  
Twin Falls, Idaho

Dear Mr. Hamilton:

We are enclosing Receipt #17900 for the \$1.50  
fee in connection with the issuance of a certified copy of  
Permit No. 19161.

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

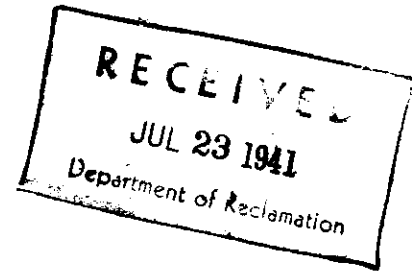
BY: Chief Clerk.

ml.  
encl.

19161

LAW OFFICES OF  
**S. T. HAMILTON**  
TWIN FALLS, IDAHO

July 22, 1941

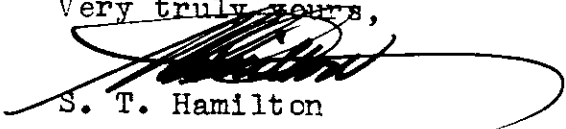


Hon. E. V. Berg  
Commissioner of Reclamation  
Boise, Idaho

Dear Mr. Berg:

I enclose herewith a check \$1.50 in payment of certified copy of permit 19161, Herman Gilfillan. This check, you will note, was made July 11 and seems to have gotten into Mr. Gilfillan's files instead of the post office. I hope the delay has not inconvenienced you.

Very truly yours,



S. T. Hamilton

STH:CD  
Enclosure

19161

July 7, 1941

Re: 19161

Mr. S. T. Hamilton  
Twin Falls, Idaho

Dear Mr. Hamilton:

On the 27th of June, we mailed you a certified copy of Permit No. 19161, which we trust has been received. The fee is \$1.50.

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

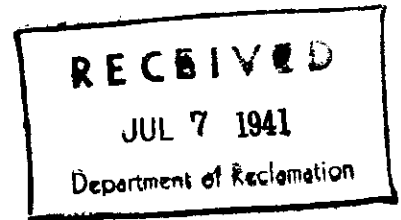
By: Chief Clerk.

ml.

19161

LAW OFFICES OF  
**S. T. HAMILTON**  
TWIN FALLS, IDAHO

July 5, 1941



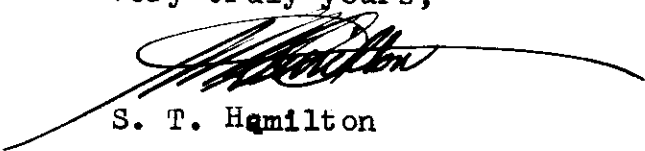
Hon. E. V. Berg  
Commissioner of Reclamation  
Boise, Idaho

Dear Mr. Berg:

When making application for permit, Herman Gilfillan, I asked to know the cost of a certified copy of this permit as I wish to have one sent me for use in the U. S. Land Office. No information has come in this regard and today I am sending the original permit to the land office and would like a certified copy for Mr. Gilfillan. If you will advise me the expense of this, I will remit same to you.

Thanking you, I am

Very truly yours,



S. T. Hamilton

STH:CD

19161

June 27, 1941

Re: 19161

Mr. S. T. Hamilton  
Twin Falls, Idaho

Dear Mr. Hamilton:

We are enclosing a certified copy of permit #19161  
which is a \$1.50. You may send this fee at your convenience.

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

BY: Chief Clerk.

ml  
encl.

19161

LAW OFFICES OF  
**S. T. HAMILTON**  
TWIN FALLS, IDAHO

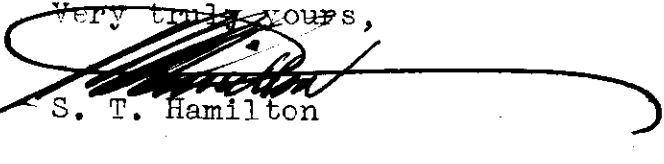
June 23, 1941

Hon. E. V. Berg  
Commissioner of Reclamation  
Boise, Idaho

Dear Commissioner:

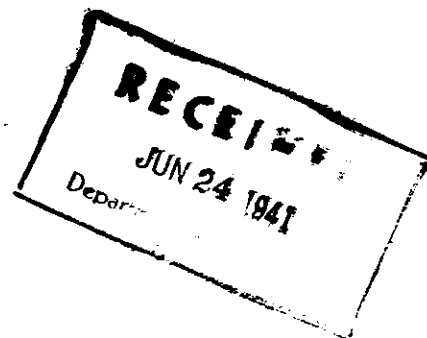
I received permit No. 19161, Herman Gilfillan.  
When sending you this application I asked to be informed  
as to the cost of a certified copy of the permit and  
wish you would let me know about this right away as we  
wish to send the copy to the land office. Tell me what  
it will cost and I will remit for same.

Very truly yours,

  
S. T. Hamilton

ATH:CD

19161



STATE OF IDAHO  
DEPARTMENT OF RECLAMATION

Re: 19161

BOISE.

June 21, 1941

Mr. Herman Gilfillan  
c/o S. T. Hamilton  
Twin Falls, Idaho

Dear Sir:

Under the terms of your permit No. 19161 you are required to complete your diversion works and make proof of Beneficial Use on or before Aug. 21, 1941.

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 of Works will be issued to you.

I also enclose blank notice for proof of application of water to Beneficial Use under this permit, which should be filled out and returned to this office at least forty (40) days before the date upon which you wish to make proof. The 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 Aug. 21, 1941, and if proof is submitted subsequent to said date, your priority will be brought down a length of time equal to the time elapsing between the date proof should have been made and the date proof is actually made.

Yours truly,

19161  
E. V. BERG.  
Commissioner of Reclamation.

**State of Idaho**  
**DEPARTMENT OF RECLAMATION**  
**BOISE**

Permit No. \_\_\_\_\_  
19161

June 21, 1941  
Boise, Idaho,

Dear Sir:

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

~~-----~~  
Fourth  
Mr. William Gilfillan  
c/o C. F. Hamilton  
Twin Falls, Idaho  
R#17870 encl. \$5.00

We have set proof for both on August 21, 1941 and  
are enclosing notices for them. It requires (the law)  
that work or bond start within sixty days, that is  
why the starting date is later than 1/5 completion.

E. V. BERG.  
Commissioner of Reclamation.

19161

NAME OF APPLICANT German Gilfillan

FORM Nc

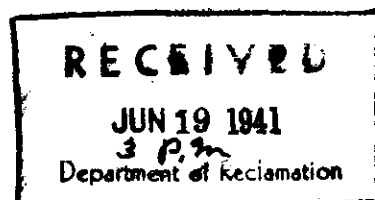
4



Permit Map No. 19161  
As Approved  
JUN 21 1961  
F. V. FERG

LAW OFFICES OF  
**S. T. HAMILTON**  
TWIN FALLS, IDAHO

June 18, 1941



Hon. E. V. Berg  
Commissioner of Reclamation  
Boise, Idaho

Dear Commissioner:

Herewith application of Herman Gilfillan to appropriate public waters of Idaho. Mr. Gilfillan has made application for an additional homestead and the department wants him to show a water right in connection with same. There is a stream flows through his Lots 3 and 4 for which application is made and he has been farming this land for possibly four years using this water. It is located where no one else can use it. He has received notice from the department that his homestead has been allowed subject to making a showing as to water right.

I think there is no objection to granting this application and if you will tell me what a certified copy will cost, I will remit for same and I wish to get this to the department as soon as possible. The applicant has let some of his time go by without making the application and there are not too many days left.

Very truly yours,



S. T. Hamilton

STH:CD  
Enclosure

P. S. This land is on the Salmon Tract and the excess water will not be too much.

S. T. H.

19161

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

Notice is hereby given that at 10:00 A. M. on the 20th day of September, 1941, at Filer, County of Twin Falls, State of Idaho, before S. T. Hamilton, a Notary Public, proof will be submitted of the application to beneficial use of 10 cubic feet per second of the waters of an unnamed stream in accordance with the terms and conditions of Permit No. 19161 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Herman Gillilan, Filer, Idaho.

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

The amount applied to beneficial use is 10 second feet.

The place where said water is used: NE  $\frac{1}{4}$ , NW  $\frac{1}{4}$ , NW  $\frac{1}{4}$  NW  $\frac{1}{4}$ , Sec. 6, Twp. 11 S., 16 E., B.M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is unnamed.

The right to take water from such works is based upon Permit No. 19161.

The source of supply from which such water is diverted is unnamed stream.

The date of priority which said user is prepared to establish is June 19, 1941.

E. V. BERG,  
Commissioner of Reclamation.