

Affidavit of Publication

NOTICE FOR PUBLICATION

NOTICE OF PROOFS APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M. on December 5, 1940, at Twin Falls, County of Twin Falls, State of Idaho, before S. T. Hamilton, Notary Public, the following proofs will be submitted:

Proof of the application to beneficial use of 0.5 cubic foot per second of the waters of an unnamed stream, a tributary of Rock Creek, in accordance with the terms and conditions of Permit No. 19052 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

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

The amount applied to beneficial use is 0.5 cubic foot per second.

The place where said water is used is SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22, Twp. 11 South, Range 18 East, B. M., Twin Falls County, Idaho.

The water is conducted to such place of use through a private ditch.

The source of supply from which such water is diverted is an unnamed stream, tributary to Rock Creek.

Proof of the application to beneficial use of 0.5 cubic foot per second of the waters of an unnamed stream, a tributary of Rock Creek, in accordance with the terms and conditions of Permit No. 19053 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

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

The amount applied to beneficial use is 0.5 cubic foot per second.

The place where said water is used is SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 22, Twp. 11 South, Range 18 East, B. M., Twin Falls County, Idaho.

The water is conducted to such place of use through a private ditch.

The source of supply from which such water is diverted is an unnamed stream, tributary to Rock Creek.

Proof of the application to beneficial use of 0.6 cubic foot per second of the waters of the West Fork of Rock Creek, in accordance with the terms and conditions of Permit No. 19054 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

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

The amount applied to beneficial use is 0.6 cubic foot per second.

The place where said water is used is SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 22, Twp. 11 South, Range 18 East, B. M., Twin Falls County, Idaho.

The water is conducted to such place of use through a private ditch.

The source of supply from which such water is diverted is the West Fork of Rock Creek.

The name and postoffice address of the person holding the above numbered permits is Curtis W. Bower, Kimberly, Idaho.

The date of priority which said user is prepared to establish on each of the above numbered permits is September 27, 1940.

JAMES SPOFFORD
Commissioner of Reclamation.

(Nov. 8-15-22-29)

[illegible]

Permit Map No. 19052
As Approved
SEP 28 1940
JAMES SPOFFORD
Commissioner of Reclamation

Kimberly Advertiser
Nov. 8-1940

Local Notices

NOTICE FOR PUBLICATION

NOTICE OF PROOFS APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M. on December 5, 1940, at Twin Falls, County of Twin Falls, State of Idaho, before S. T. Hamilton, Notary Public, the following proofs will be submitted:

Proof of the application to beneficial use of 0.5 cubic foot per second of the waters of an unnamed stream, a tributary of Rock Creek,

in accordance with the terms and conditions of Permit No. 19052 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

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

The amount applied to beneficial use is 0.5 cubic foot per second.

The place where said water is used is SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22, Twp. 11 South, Range 18 East, B. M., Twin Falls County, Idaho.

The water is conducted to such place of use through a private ditch.

The source of supply from which such water is diverted is an unnamed stream, tributary to Rock Creek.

Proof of the application to beneficial use of 0.5 cubic foot per second of the waters of an unnamed stream, a tributary of Rock Creek, in accordance with the terms and conditions of Permit No. 19053 heretofore issued by the Commissioner of Reclamation of the State

of Idaho where they will be stationed on the Hawaiian Islands.

of Idaho.

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

The amount applied to beneficial use is 0.5 cubic foot per second.

The place where said water is used is SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 22, Twp. 11 South, Range 18 East, B. M., Twin Falls County, Idaho.

The water is conducted to such place of use through a private ditch.

The source of supply from which such water is diverted is an unnamed stream, tributary to Rock Creek.

Proof of the application to beneficial use of 0.6 cubic foot per second of the waters of the West Fork of Rock Creek, in accordance with the terms and conditions of Permit No. 19054 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

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

The amount applied to beneficial use is 0.6 cubic foot per second.

The place where said water is used is SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 22, Twp. 11 South, Range 18 East, B. M., Twin Falls County, Idaho.

The water is conducted to such place of use through a private ditch.

The source of supply from which such water is diverted is the West Fork of Rock Creek.

The name and postoffice address of the person holding the above numbered permits is Curtis W. Bower, Kimberly, Idaho.

The date of priority which said user is prepared to establish on each of the above numbered permits is September 27, 1940.

JAMES SPOFFORD
Commissioner of Reclamation
(Nov. 8-15-22-29)

State of Idaho

License and Certificate of Water Right

Water License No. 19052Amount 0.5

Water District No. _____

Priority Sept. 27, 1940.

THIS IS TO CERTIFY that **CURTIS W. BOWER**
 of **R#2, Kimberly, Idaho**, made application for a permit to appropriate the
 public waters of the State of Idaho, dated **Sept. 27, 1941**, 19 **41**; that Permit No. **19052**
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.5 second feet, was issued thereunder on **Nov. 2, 1940**, 19 **40**, showing that said works
 were completed on the **29th** day of **October**, 19 **40**; and that on the **5th**
 day of **December**, 19 **40**,

CURTIS W. BOWER

of **R#2, Kimberly**, State of **Idaho**, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of **unnamed stream**
, a tributary of Rock Creek, for the purpose of **irrigation & domestic**
, under Use Permit No. 19052 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 of Idaho and entered of record in Volume **7**
 of Licenses, at page **4057**, on the **18th** day of **March**, 19 **41**;

The right hereby confirmed dates from **Sept. 27, 1940**, 19 **40**;

The Point of Diversion is located in the **SE $\frac{1}{4}$ SW $\frac{1}{4}$** , Sec. 27, 11 S, 18 E., B. M.
 in the **$\frac{1}{4}$** , **$\frac{1}{4}$** , Sec. **27**, Tp. **11 S**, R. **18 E.**, B. M. **Twin Falls Co.**

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 **0.5**
 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
11 S	18 E	22	SE $\frac{1}{4}$ SW $\frac{1}{4}$	25	25

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 **18th** day of **March**, 19 **41**

E. V. BERG.

Commissioner of Reclamation

(SEAL)

47 2213

State of Idaho
License and Certificate of Water Right

Water License No. 17959

Amount 0.1 Sec. Ft.

Water District No.

Priority June 6, 1934

THIS IS TO CERTIFY that A. G. & C. R. ADELMANN (1st part) and WM. A. ADELMANN-Partners. of 622 Idaho, Boise, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated June 6, 1934; that Permit No. 17959 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.1 second feet, was issued thereunder on June 29, 1938, 19, showing that said works were completed on the 2nd day of August, 1938; and that on the 14th day of May, 1940,

A. G. & C. R. ADELMANN (of 1st part) and WM. A. ADELMANN-Partners. of 622 Idaho, Boise, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of unnamed spring, a tributary of, for the purpose of mining and domestic, under Use Permit No. 17959 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 of Idaho and entered of record in Volume 7 of Licenses, at page 4058, on the 2nd day of April, 1941;

The right hereby confirmed dates from June 6, 1934, 19;

The Point of Diversion is located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 13, Twp. 3 N. Rge. 3 E., B. M. in the $\frac{1}{4}$ $\frac{1}{4}$, Sec. Tp. , R. , B. M. Ada 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 0.1 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres 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 2nd day of April, 1941

E. V. BERG.

Commissioner of Reclamation

(SEAL)

47-2213

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

Application No. 26490
Permit No. 19052
District No.

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

1. Name of Applicant: CURTIS W. BOWER
Postoffice address: R. 2, Kimberly County: Twin Falls State: Idaho
 I. If applicant is a corporation, give:
 - (a) Date and place of incorporation:
 - (b) Amount of capital stock:
 - (c) Amount paid in:
 - (d) Names and addresses of directors:
 II. The financial resources of the applicant are:
 - (a) Cash on hand:
 - (b) Treasury stock:
 - (c) Bonds to be issued:
 - (d) Other resources:
2. Quantity of water claimed: 0.5 cubic feet per second.
3. Source of water supply: Unnamed stream which is a tributary of Rock Creek
4. Location of point of diversion: feet distant from the
 corner of Section , T. , R. , B. M., and is the in the SE $\frac{1}{4}$ SW $\frac{1}{4}$
 of Section 27 , T. 11 S. , R. 18 E. , B. M., County of Twin Falls
5. Water is to be used for: Irrigation and 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: \$ 50.00
8. Kind of works: Diversion dam and ditch
9. Height of dam 3 feet; length of dam at top 8 feet; length of dam at bottom 3
 feet; material used in dam: Earth and rock
10. Size of headgate: Width None used feet; height feet.
11. Ditch: Width at bottom 2 feet; width at water line 3 feet; depth of water
 feet; dimensions of flume:
 Diameter of pipe inches; length of conduit 1 miles.
 Average grade per mile 10 feet.
12. The time required for the completion of such work is 6 months years.
13. The time required for the complete application of the water to the proposed use is no additional years.
14. The land to be irrigated is described in the following tabulation: See remarks.

15. (a) Is reservoir to be used? If so, fill in (b) and (c) below.
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

CURTIS W. BOWER

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 10:30 A. M. September 27, 1940

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 18052

The number of this permit is 18052
Recorded in Book 69 Page 18052 Approved September 28, 1940

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

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

Work to begin on or before **November 27, 1940** and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before **December 28, 1940**

The whole of said work to be completed on or before **March 28, 1941**

Beneficial use of water appropriated in accordance herewith, to be made on or before **March 28, 1941**

Witness my hand this 28th day of September, 1940

JAMES SPOFFORD

Commissioner of Reclamation.

IN TESTIMONY WHEREOF, We **C. A. BOTTOLFSSEN** Governor of the State of Idaho, and **GEO. H. CURTIS**
Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and have
caused the Great Seal of the State of Idaho to be hereunto affixed, this **28th** day of **September** 19**40**

Countersigned:

STATE OF IDAHO

(SEAL

By GEO. H. CURTIS

Secretary of State.

By C. A. BOTTOLFSSEN

Governor.

Remarks: This water has been used upon the land for more than twenty years and a license is desired for the water.

14.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
11 S.	18 E.	22									25								25
											Total Number of acres to be irrigated -								25
											PERMIT NO. 19052 Certificate of Completion of Works								
TO ALL WHOM IT MAY CONCERN:																			
This is to certify that CURTIS W. BOWER, of Kimberly, County of Twin Falls, and State of Idaho, the holder of Permit No. 19052, issued upon Application No. 26490, bearing date of priority of September 27, 1940, authorizing diversion of 0.5 second foot of the waters of an unnamed stream, a tributary of Rock Creek, 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 described in said Permit; that said work is adequate for diverting and conveying to the place of intended use 0.5 second foot of the waters of said unnamed stream; that the point of diversion of said waters is in the SE¼ SW¼ Section 27, Township 11 South, Range 18 East, B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 25 acres in the SE¼ SW¼ Section 22, Township 11 South, Range 18 East, B. M.																			
Witness my hand this 2nd day of November, A. D. 1940.																			
JAMES SPOFFORD Commissioner of Reclamation.																			
Proof of completion of works made October 29, 1940 Certificate of Completion of Works issued November 2, 1940.																			
LICENSE ISSUED FOR 0.5 SEC. FT. 4057 - 3/18/41																			

19052

September 10, 1953

Mr. W. R. Nutting, Land Bank Appraiser
361 Third Avenue West
Twin Falls, Idaho

Dear Mr. Nutting:

In reply to your letter of September 10, 1953, in regard to Permits Nos. 19052, 19053 and 19054 in the name of Curtis W. Bower, our records show the following:

License No. 19052 for five-tenths (0.5) second foot of water from an unnamed stream, tributary to Rock Creek; priority September 27, 1940; point of diversion SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 27, Township 11 South, Range 18 East, B.M., for use on 25 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22.

License No. 19053 for four-tenths (0.4) second foot of water from an unnamed stream, tributary to Rock Creek, with point of diversion in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 22, Township 11 South, Range 18 East, B.M.; priority September 27, 1950, for use on 20 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 22.

License No. 19054 for 0.22 second foot of water from the West Fork Rock Creek with point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 26, Township 11 South, Range 18 East, B.M.; priority September 27, 1940, for use on 15 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and 15 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 22, Township 11 South, Range 18 East, B.M.

Since these are not decreed water rights, the State does not supervise their distribution.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

19052

✓
19052

September 10, 1953

Mr. W. R. Nutting, Land Bank Appraiser
361 Third Avenue West
Twin Falls, Idaho

Dear Mr. Nutting:

In reply to your letter of September 10, 1953, in regard to Permits Nos. 19052, 19053 and 19054 in the name of Curtis W. Buser, our records show the following:

License No. 19052 for five-tenths (0.5) second foot of water from an unnamed stream, tributary to Rock Creek; priority September 27, 1940; point of diversion SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 27, Township 11 South, Range 18 East, B.M., for use on 25 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22.

License No. 19053 for four-tenths (0.4) second foot of water from an unnamed stream, tributary to Rock Creek, with point of diversion in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 22, Township 11 South, Range 18 East, B.M.; priority September 27, 1950, for use on 20 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 22.

License No. 19054 for 0.22 second foot of water from the West Fork Rock Creek with point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 26, Township 11 South, Range 18 East, B.M.; priority September 27, 1940, for use on 15 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and 15 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 22, Township 11 South, Range 18 East, B.M.

Since these are not decreed water rights, the State does not supervise their distribution.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

19052

THE FEDERAL LAND BANK OF SPOKANE

SPOKANE 1, WASHINGTON

361 Third Avenue West
Twin Falls, Idaho

September 10, 1953

Mr. Roy Thompson
Supervisor of Water Distribution
State Department of Reclamation
Boise, Idaho

Dear Mr. Thompson:

I understand that Mr. Curtis W. Bower of Kimberly has permits issued by the Department of Reclamation numbered 19052, 19053, and 19054. Have licenses been issued? What amount of water does each represent; to what land is each appurtenant; where is the diversion point for each and what is the source of each? I believe the date of priority is September 27, 1940.

The description of the land involved is SeSw, SwSe Section 22, Township 11 south, Range 18 EBM.

Does the State supervise distribution of this water?

Very truly yours,



W. R. Nutting
Land Bank Appraiser

RECEIVED
SEP 11 1953
Department of Reclamation

19052

✓
19052

August 27, 1953

Mr. Harold F. Brown
Box 191
Gooding, Idaho

Dear Mr. Brown:

In reply to your letter of August 26, 1953, in regard to water licenses 19052, 19053, 19054 in the name of Curtis W. Bower, our records show the following:

- License No. 19052 for five-tenths (.5) second foot of water from an un-named stream; priority, September 27, 1940; point of diversion SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 27, Township 11 South, Range 18 East, B.M. for use on 25 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 27.
- License No. 19053 for four-tenths (0.4) second foot of water from an un-named stream tributary to Rock Creek with point of diversion in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 22, Township 11 South, Range 18 East, B.M.; priority, September 27, 1940 for use on 20 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 22.
- License No. 19054 for .22 second foot of water from the West Fork Rock Creek with point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 26, Township 11 South, Range 18 East, B.M.; priority, September 27, 1940. For use on 15 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and 15 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 22, Township 11 South, Range 18 East, B.M.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

A:pj

Chief Clerk

19052

THE EQUITABLE LIFE ASSURANCE SOCIETY
OF THE UNITED STATES

HOME OFFICE NEW YORK 1, NEW YORK

THOMAS F. FARMAN, PRESIDENT

RECEIVED
AUG 27 1953
Department of Reclamation

FARM LOAN SERVICE
BRANCH OFFICE
GLENN A. HUNT, LOAN SUPERVISOR
SHERWOOD BUILDING
SPOKANE 9, WASH.

August 26, 1953

FARM LOAN REPRESENTATIVE
HAROLD F. BROWN
P. O. BOX 191
GOODING, IDAHO

Mr. Mark Culp, State Engineer
Department of Reclamation
State House
Boise, Idaho

Dear Sir:

Will you please advise me of the amount of water right granted and the priority date under state water licenses Nos. 19052, 19053, and 19054 in the name of Curtis W. Bower. Also give legal description of lands to which these water rights apply, the source of water supply, and point of diversion, as shown on the license.

I wish this information in connection with an appraisal of Mr. Bower's property. Thank you.

Very truly yours,

Harold F. Brown

Harold F. Brown
appraiser

19052

April 26, 1941.

Re: 19053-54

Mr. S. T. Hamilton
Twin Falls, Idaho

Dear Mr. Hamilton:

Re: Curtis M. Bower

We are enclosing licenses numbers 4065 and 4066 issued on permits numbers 19053 and 19054 for 0.4 sec. ft. and 0.22 sec. ft. from an unnamed stream, a tributary of Rock Creek, and to be used for domestic and irrigation purposes on the SW $\frac{1}{4}$ SE $\frac{1}{4}$ (20 acres), SE $\frac{1}{4}$ SW $\frac{1}{4}$ (15 acres), and SW $\frac{1}{4}$ SE $\frac{1}{4}$ (15 acres), Section 22, 11 S., Rge. 18 E., B. M.

These licenses should have been issued at the same time as 4057 on permit number 19052, but there was some doubt in my mind as to the amount. Mrs. Anderson checked with the engineer and I've issued the above and inclosed licenses accordingly.

Very truly yours,

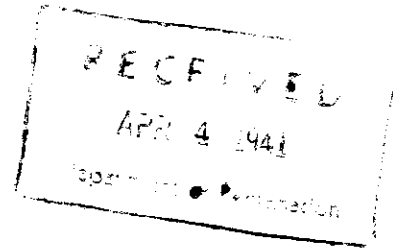
E. V. BERG.
Commissioner of Reclamation.

By: Chief Clerk.

ml.

19052

LAW OFFICES OF
S. T. HAMILTON
TWIN FALLS, IDAHO
April 3rd, 1941



Hon. E. ^YB. Berg
Commissioner of Reclamation
Boise, Idaho

Dear Mr. Berg:

On March 26th, 1941, I wrote you regarding the
Curtis W. Bower permits, 19052, 19053 and 19054.
As soon as it is convenient I would like to know
about these as I wish to get my files straight.

Very truly yours,

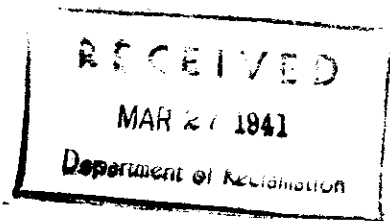


S. T. Hamilton

STH:ajs

19052

LAW OFFICES OF
S. T. HAMILTON
TWIN FALLS, IDAHO
March 26th, 1941



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

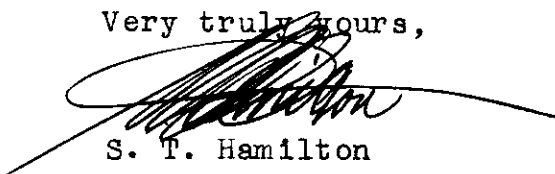
Dear Mr. Berg:

Curtis W. Bower, who is the holder of permits, 19052, 19053 and 19054 for the appropriation of water from unnamed streams in the vicinity of Rock Creek, has just received from you License and Certificate of Water Right under permit 19052.

No reference is made to the other two permits which were filed upon, granted and proof made at the same time. Probably there has been an oversight in this connection and I shall be glad to know just what the situation is. I assume Mr. Bower should have license and certificate of water right in each of the other applications and permits.

Thanking you for the information requested, I am,

Very truly yours,



S. T. Hamilton

STH:ajs

19052

March 19, 1941.

Re: 19052

Mr. Curtis W. Bower
R#2, Kimberly, Idaho

Dear Mr. Bower:

We are herewith enclosing License and Certificate of Water Right issued under the above numbered permit, confirming your right to use 0.5 second feet of the waters of an unnamed stream, a tributary of Rock Creek, with a priority date of Sept. 27, 1940, for irrigation and domestic use on the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of 22, 11 S., 18 E., B. M.

Receipt number 17570 for \$4.00 covered the fee for final proof.

Very truly yours,

E. V. BERG.

By
Chief Clerk.

ml.
encl.

19052

LAW OFFICES OF
S. T. HAMILTON
TWIN FALLS, IDAHO
March 15, 1941



Hon. E. V. Berg
Comm'r Reclamation
Boise, Idaho

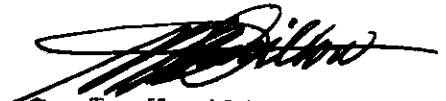
Re: Permits 19052 - 53 - 54
Curtis W. Bower

Dear Mr. Berg:

Mr. Bower has shown me your letter of January 24 in the above matter advising that license would issue on receipt of \$4.00 for field examination Beneficial Use. I call attention to Department Receipt #17670 dated December 4th for \$4.00. I think this is the payment of the request of January 24th. Please advise if I am correct in this. 28th

Thanking you in advance, I am,

Very truly yours


S. T. Hamilton

*Receipt - 17670 - 12470 B.H.
date Dec 28 - 40 -
J.H.T.*

19052

January 24, 1941

Mr. Curtis W. Bower
Kimberly, Idaho

Dear Mr. Bower:

Re: 19052, 53, 54.

A short time ago we received the report of our field engineer on examination for Beneficial Use under the above numbered permits.

This report shows that you are irrigating 56 acres in two forty acre legal sub-divisions.

Therefore your fee will be \$4.00 upon receipt of which a license will be issued on 1.12 second feet.

Very truly yours,

E. V. BERG.
Commissioner of Reclamation.

By
Chief Clerk.

ml.

19052

19052 - OK - 0.5 af -

on 25 a in S E S W

(appl. per 0.5

19053 - OK - 0.4 af -

on 20 a in S W S E

19054 OK - 0.22 af

11 a in S E S W

(appl. per 0.6 on

75 a in S E S W

15 a. " S W S E

4 5/8
5 1/2
22

LICENSE ISSUED FOR 1/2 SEC. FT.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No.s. 19052-19053-19054

This proof is for Beneficial Use

In Water District No.

1. Name of applicant Curtis W. Bower Kimberly, Idaho
2. Source of water supply Rock Creek, and two unnamed streams tributary thereto
3. Location of point of diversion: Is in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27; SE $\frac{1}{4}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 28; of Section 22
T. 11 South R. 18 East County of Twin Falls

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

5. Water is used for: Irrigation and domestic purposes

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

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

SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 22, Twp. 11 South, Range 18 East, B. M.

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

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

Remarks:

This examination was made on the 15th day of November, 1940

(Signed)

James E. Spayne
Examiner.

19052

Curtis W. Bower
Kimberly, Idaho

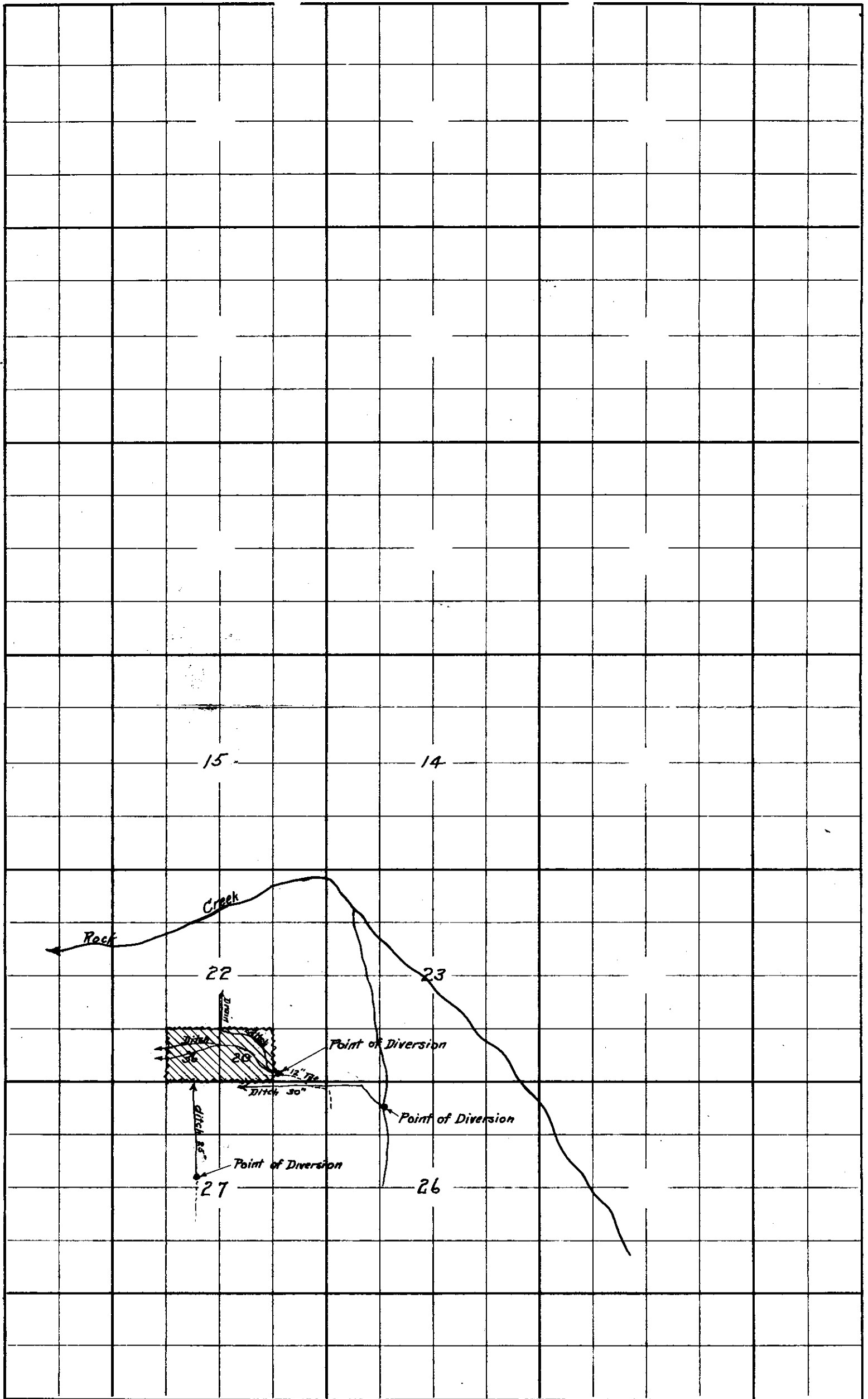
Permit No. 19052-19053-19054

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.



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

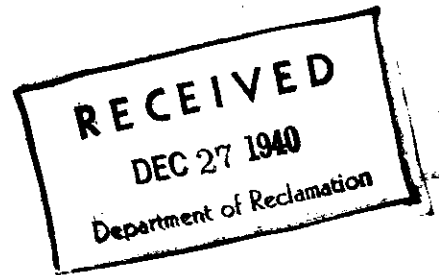
REPORT OF ENGINEER

PERMIT NO.s 19052-19053-19054

REPORT ON PROOF OF Beneficial Use

AK - 56 acres
in 2 40's -
\$40⁰⁰ fee
for 1.12 c/s.

LAW OFFICES OF
S. T. HAMILTON
TWIN FALLS, IDAHO
December 26, 1940

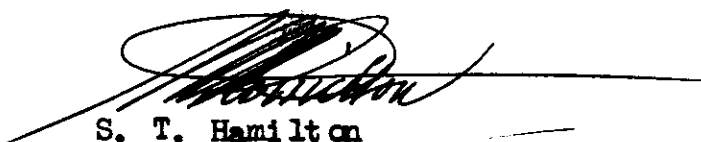


Hon. James Spofford
Commissioner of Reclamation
Boise, Idaho

Dear Mr. Spofford:

Herewith is check for \$4.00 which Curtis W. Bower asked me to send to you in payment for the acreage fee on his two forties involved in Permits 19052, 19053 and 19054.

Very truly yours,



S. T. Hamilton

STH:MEB

Encl.

P. 17670 for \$4.00

19052

December 16, 1940

Re: Permits Nos. 19052-19053-19054
Curtis W. Bower

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

Dear Mr. Hamilton:

We acknowledge receipt of your letter of December 13th,
enclosing affidavit of publication from the Kimberly
Advertiser, in connection with beneficial use proof under
the above number d permits.

In reply to your inquiry as to when the \$4.00 fee shall
be paid, will say that it is now due, and may be paid at
the applicant's convenience.

Very truly yours,

JAMES SPOFFORD
Commissioner of Reclamation
By

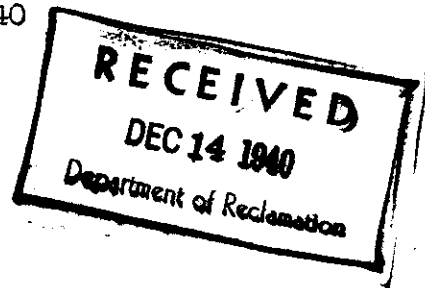
JLA

Chief Clerk

19052

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

December 13, 1940



Hon. James Spofford
Commissioner of Reclamation
Boise, Idaho

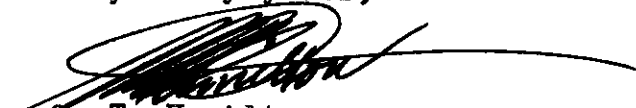
Dear Sir:

Herewith find Affidavit of Publication in the newspaper at Kimberly. Mr. Bower brought this in when the proof was made but it was omitted to be enclosed by over-sight.

I have not gone into the situation on the ground between Mr. Barton and Mr. Bower but both parties agree that Mr. Barton has a full water right for his land in Twin Falls Canal Company of one share to the acre which is thought to be a complete water right.

I note your reference in last paragraph to the fees for final proof at the rate of \$2.00 for each legal subdivision. Shall I advise Mr. Bower to pay this now or will the fee be paid in connection with the expense of the examination.

Very truly yours,



S. T. Hamilton

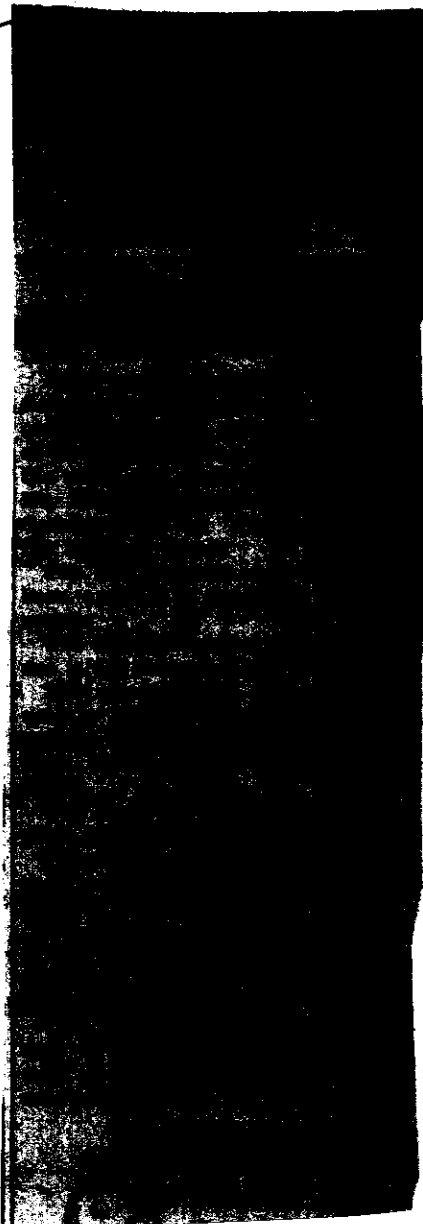
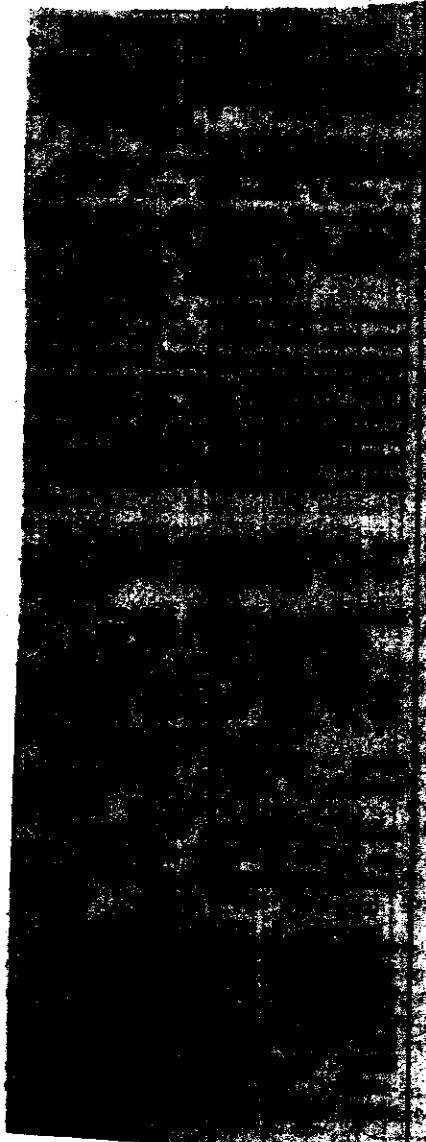
STH:MEB

Encl.

19052

Affidavit of Publication

RECEIVED
DEC 14 1960
Department of Reclamation



KIMBERLY ADVERTISER
KIMBERLY, IDAHO

19052

Affidavit of Publication

STATE OF IDAHO,

County of Twin Falls

} ss.

I, Harold A. Hove being first duly sworn on oath, say:

That I am publisher of the Kimberly Advertiser, a newspaper of general circulation in Twin Falls County, Idaho, published weekly in Kimberly in said county and state; that a true copy of the annexed notice was published in the regular and entire issue of said newspaper, and not in any supple-

ment thereof, for 4 consecutive weeks,

commencing with the issue dated Nov. 8

, 1940 and ending with the issue dated

Nov. 29, 1940.

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

Harold A. Hove

Subscribed and sworn to before me this 2

day of

December, 1940.

Les. A. Dawson
Notary Public for the State of Idaho

(My commission expires Aug 20, 1944)

December 10, 1940

Re: Permits Nos. 19052, 19053 and 19054

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

Dear Mr. Hamilton:

We acknowledge receipt of your letter of December 6th, enclosing depositions of the holder and two witnesses in connection with beneficial use proofs under the above numbered permits in the name of Curtis L. Bower.

However, you did not send the affidavit of publication from the newspaper, which is necessary to complete the proofs. Please obtain this affidavit and send it to us at your early convenience.

We note that Mr. Barton did not appear at your office at the time the proofs were made, and therefore you were unable to deliver the letter which we addressed to him in your care. It will not be necessary to forward it to him, however, as this was only a copy of the original letter which was sent him at Kimberly.

Mr. Barton's protest states that he is the owner of the SW $\frac{1}{4}$ of Section 27, Township 11 South, Range 18 East, B.M., and that he and his predecessors in interest have used the water referred to in Permit No. 19052 on the above described land continuously for irrigation purposes for more than five years, and that the water is necessary in order to irrigate his land as above described; and, further, that said water is located and situated wholly upon the lands of another person.

Should you desire a copy of the protest itself, we can furnish same, at the usual folio rates, but the above gives the substance of the protest.

After Mr. Tolman, our Field Engineer, has made an examination, as required by statute, and the matter of the protest has been gone into and adjusted, licenses will be issued in accordance with the findings and report. Meanwhile, the fee in connection with these final proofs will amount to \$4.00, being at the rate of \$2.00 for each legal subdivision on which the water is used.

Very truly yours,

JAMES SPONFORD

Commissioner of Reclamation

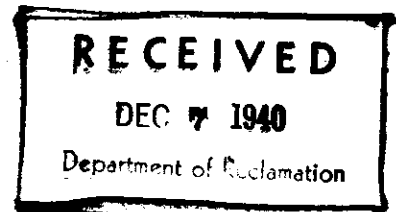
By

JLA

Chief Clerk

19052

LAW OFFICES OF
S. T. HAMILTON
TWIN FALLS, IDAHO
December 6, 1940



Hon. James Spofford
Commissioner of Reclamation
Boise, Idaho

Dear Commissioner:

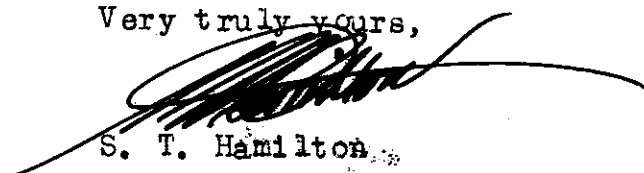
Herewith find Proof of Application of Water for Beneficial Use, Curtis W. Bower, Permits 19052, 19053, 19054, the proofs being made by deposition of holder and deposition of two witnesses.

Regarding the protest by Minor G. Barton, Mr. Barton did not come in yesterday and has not since come in, consequently, his letter has not been delivered to him. If he does not come in tomorrow and get it I will forward it to him at his Kimberly address.

I don't know what his grounds of protest are and I said to Mr. Bower that I would get him a letter giving the substance of the protest and he seemed to think he would like to have same so if you will send whatever is necessary to advise him of the grounds of protest he will be obliged by you.

Mr. Barton came to me prior to this proof to consult regarding a protest and I declined to discuss the matter with him because of my relations to the proof.

Very truly yours,



S. T. Hamilton

STH:MEB
Encl.

19052

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 19052

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Curtis W. Bower, Route #2, Kimberly, Idaho. Occupation, Farmer.
Kimberly, Idaho

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

Ans. Not for corporation

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

Ans. 19052, September 28, 1940. Date of priority, the water has been used on the land 20 years. Priority claimed on use.

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

Ans. Unnamed stream. Point of diversion NW Corner, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 27 T. 11 S., R. 18, E. B. M.

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

Ans. Dam and ditch. Dam 3 ft. high, 8 ft. at top, 3 ft. at bottom.
Material, earth and rock. No headgate used. Capable of carrying
.5 cu. ft. per second. Diversion ditch carries water to land.

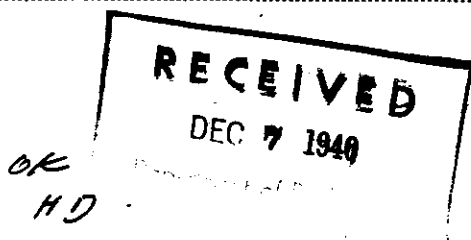
Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements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

Ans. Irrigation and domestic use. Land irrigated 25 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 22, T. 11 S., R. 18 E. B. M.. Used on cultivated land.
Improvements; the land has been changed from a desert to cultivated agriculture fields.

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

Ans. Agricultural

19052



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

Ans. 1 inch per acre.

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

Ans. Permit 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. For more than 20 years this water has been diverted in amount claimed and has been used upon the lands described for use in proof.

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 has been used or available for use on this land, except from the diversion applied for.

(Sign) *Surtis W. O. Bower*

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 5th day of December A. D. 1940.

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

My commission expires.....

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 19052

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. Lars P. Larsen, Route #2, Kimberly, Idaho. Occupation, farmer
and stock raiser, Kimberly, Idaho.

Ques. 2. Are you acquainted with Curtis W. Bower, the
holder of Permit No. 19052? How long have you known him and where does he reside?

Ans. Yes. Since 1907. He resides at Kimberly, Idaho, Route #2.

Ques. 3. Have you read or heard read said Permit No. 19052, and are you familiar with
its provisions and conditions?

Ans. Yes. I am familiar with its provisions and 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. Point of diversion NW Corner, SE1SW1 Sec. 27
T. 11 S., R. 18, E. B. M. Works consist of dam and ditch. Water
is conveyed from point of diversion in diversion ditch to the land.

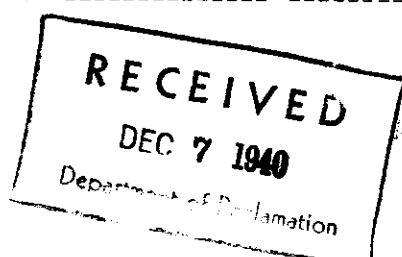
Ques. 5. How many second feet of water do you estimate said works will safely conduct to
place of use, and how much water have you seen being so conveyed?

Ans. .5 second ft. Have seen this much conveyed.

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 and domestic. Has been used on approximately 25
acres in SE1SW1 Sec. 22, T. 11 S., R. 18 E. B. M. All the land is in
cultivated farm crops. The improvement being from use of farm water.

19052



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

Ans. 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. In sagebrush known as desert land. 1 inch per acre.

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

Ans. 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. At least 15 years in the amount claimed. The water has been applied in the raising of agriculture crops.

(Signed) Lars P. Larsen

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 day of December 5th, A. D. 1940.

My commission expires

Notary Public for Idaho
Residing at Twin Falls

19052

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 19052----

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. Russell C. Larsen, Route #2, Hansen, Idaho. Occupation, farmer.
Hansen, Idaho

Ques. 2. Are you acquainted with Curtis W. Bower, the holder of Permit No. 19052? How long have you known him and where does he reside?

Ans. Yes. Known him 25 years. His post office is Kimberly, Idaho

Ques. 3. Have you read or heard read said Permit No. 19052, and are you familiar with its provisions and conditions?

Ans. Yes, I am familiar with its provisions and 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. Point of diversion NW Corner, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 27
T. 11 S., R. 18, E. B. M.. Works consist of dam and ditch. Water
is conveyed from point of diversion in diversion ditch to the land.

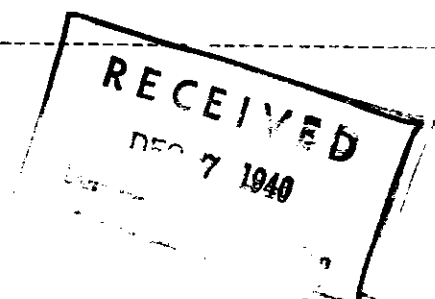
Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. .5 cu. ft. per second. I have seen the full amount claimed being
conveyed.

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 of about 25 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 22, T. 11 S., R. 18
E. B. M..

19052



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

Ans. Only use is 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. Arid or desert in character. The land has been reclaimed and is cultivated land. 1 inch per acre required.

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. I live on adjoining lands. Have noticed the application of water claimed under this permit to the land for not less than 10 years. The amount claimed has been used beneficially on the land.

(Signed)

Russell C. Larsen

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 day of December 5th, A. D. 1940.

My commission expires

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

December 4, 1940

Re: Permit No. 19052
Curtis W. Bower

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

Dear Mr. Hamilton:

We are sending by this same mail a letter addressed in your care for Mr. Miner G. Barton, of Ketchikan, who has filed a protest against the issuance of a license under the above numbered permit.

Inasmuch as the beneficial use proof under this permit, and two others in the name of Mr. Bower, are to be submitted before you tomorrow morning, we thought possible that Mr. Barton might appear at the time set for proof.

This protest will make no difference in submitting the necessary proofs; but, as we have advised Mr. Barton an examination will be made by our Field Engineer, and due consideration given the matter of protest, before approval of the issuance of a license.

Very truly yours,

JAMES SPONFORD
Commissioner of Reclamation

A

19052

December 4, 1940

Re: Permit No. 19052
Curtis W. Bower

Mr. Minor G. Barton
Route 2
Kimberly, Idaho

Dear Sir:

We acknowledge receipt of your letter of December 3rd, enclosing affidavit and protest against the issuance of a license to Curtis W. Bower, under Permit No. 19052.

It will not be possible, nor is it necessary, to send a representative from this department to make an examination prior to the date set for making beneficial use proof.

However, your affidavit and protest will be placed on file, and an examination will be made by our Field Engineer, and the matter gone into thoroughly, before a license will be issued.

We are sending a copy of this letter to you in care of Mr. S. T. Hamilton, the Notary Public before whom the proofs are to be made, in the event that you appear to present the matter personally at that time.

Very truly yours,

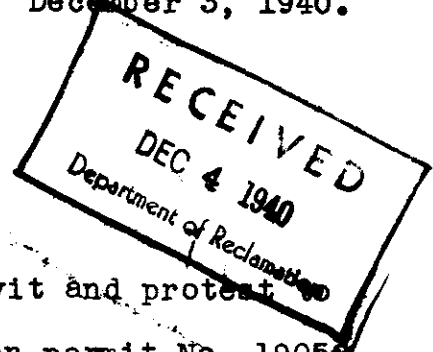
JAMES SPONFORD
Commissioner of Reclamation

A

19052

Twin Falls, Idaho.
December 3, 1940.

Commissioner of Reclamation,
% Dept. of Reclamation,
Boise, Idaho.



Dear Sir:

I inclose herewith an affidavit and protest
the issuance of water license on permit No. 19052,
reasons set out in the affidavit.

I would like to have you come down or send one
of your representatives down, in order that you may
look over this ~~land~~ and verify my statement before
a hearing, which is to be held according to the
notice in the newspaper on Thursday, December 5,
1940.

Very truly yours,

Wm. G. Barton

19052

STATE OF IDAHO ()
County of Twin Falls) SS.

AFFIDAVIT.

MINOR G. BARTON, being first duly sworn upon his oath; deposes and says, that,

He desires to and does hereby file a protest against the issuance of License for the use of water under permit No. 19052, to Curtis W. Bower, of Kimberly, Idaho, for the following reasons, to-wit:

Affiant states that he is the owner of the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section twenty-seven (27), Township eleven (11) South, Range eighteen (18), E.B.M., Twin Falls County, Idaho and that he and his predecessors in interest have used the water referred to in permit No. 19052, on the above described land continuously for beneficial use, for irrigation purpose, for a period of more than five years, prior to this date and that said water is necessary in order to irrigate above described land belonging to said affiant.

Affiant further states that the Department would not be justified in issuing a license on the permit above prayed for under Section 41-206, Idaho Code Annotated, for the reason that said water is located and situated wholly upon the lands of another person.

Affiant further states the following witnesses who are land owners and neighbors and who own adjacent land to the land in question, could and would testify to the facts above stated by this affiant, that their names and addresses of said witnesses are as follows,

Walter Presnell, Kimberly, Idaho.
Bob Bean, Route 2, Kimberly, Idaho.
C. E. Jones, Route 2, Kimberly, Idaho.
Conrad Magel, Route 2, Kimberly, Idaho.
Charley Prior, Route 2, Kimberly, Idaho.

For the reasons above stated, affiant asks that no license be issued on the above mentioned permit.

Winnor G Barton

Subscribed and sworn to before me this 3rd day of December,
1940.

E. Hapburn

Notary Public,
Residing at Twin Falls, Idaho.

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE
INSTRUCTIONS
PROOF OF BENEFICIAL USE OF WATER

Boise, Idaho, **November 25, 1940**

Re: Permit No. 19052-3-4
Curtis W. Bower

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

Dear Sir:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. **2. 19052-3-4**

Deposition of Permit Holder, **(3)**
Depositions of Two Witnesses. **(6)**

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 **December 5, 1940**, 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, Idaho** 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,
JAMES SPOFFORD

Commissioner of Reclamation.

19052

November 4, 1940

Re: Permits Nos. 19052-19053-19054

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

Dear Mr. Hamilton:

We are enclosing herewith Certificates of Completion of Works, issued under the above numbered permits, in the name of Curtis W. Bower, to appropriate 0.5 second foot of the waters of an unnamed stream in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 27, Twp. 11 S., Range 18 E., B.M., 0.5 second foot of the waters of an unnamed stream in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 22, Twp. 11 S., Range 18 E., B.M., and 0.5 second foot of the waters of Rock Creek (West Fork), in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 26, Twp. 11 S., Range 18 E., B.M., respectively; for the irrigation of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22, Township 11 South, Range 18 East, B. M., Twin Falls County.

The Departmental Receipt No. 17619 for the \$15.00 fees paid in connection with these proofs is also enclosed.

Very truly yours,

JAMES SPOFFORD
Commissioner of Reclamation
By

Chief Clerk

JLA
Encls.

19052

HAROLD O. HOVE, PUBLISHER



THE KIMBERLY ADVERTISER

Kimberly, Idaho

A DISTINGUISHED COUNTRY
NEWSPAPER PUBLISHED IN
THE HEART OF ONE OF THE
MOST PROLIFIC AND WIDELY
DIVERSIFIED IRRIGATION
PROJECTS IN THE COUNTRY

Re: Permits Nos. 19052-19053-19054

Nov. 1, 1940

RECEIVED

NOV 2 1940

Department of Reclamation

James Spoffard
Commissioner of Reclamation
State House
Boise, Idaho

Dear Mr. Spoffard:

Received your notice for publication this morning
in regards Curtis W. Bower, Kimberly, Idaho.

We will furnish your office with a copy of the
first insertion as per your letter.

Thanking you, we are,

Very truly yours,

Kimberly Advertiser

Harold O. Hove
Publisher

19052

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Date . . ~~October 31~~, 1940

Re: Permits Nos. 19052-19053-19054

KIMBERLY ADVERTISER
Kimberly, Idaho.

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **December 5, 1940**, the date set for proof, the expense of the publication to be paid by the applicant,

Curtis W. Bower, Kimberly, Idaho

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

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

Very truly yours,

JAMES SPOFFORD

Commissioner of Reclamation

19052

19052

NOTICE FOR PUBLICATION

NOTICE OF PROOFS APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M. on December 5, 1940, at Twin Falls, County of Twin Falls, State of Idaho, before S. T. Hamilton, Notary Public, the following proofs will be submitted:

Proof of the application to beneficial use of 0.5 cubic foot per second of the waters of an unnamed stream, a tributary of Rock Creek, in accordance with the terms and conditions of Permit No. 19053 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The use to which said water has been applied is irrigation and domestic. The amount applied to beneficial use is 0.5 cubic foot per second.

The place where said water is used is SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22, Twp. 11 South, Range 18 East, B.M., Twin Falls County, Idaho.

The water is conducted to such place of use through a private ditch.

The source of supply from which such water is diverted is an unnamed stream, tributary to Rock Creek.

Proof of the application to beneficial use of 0.5 cubic foot per second of the waters of an unnamed stream, a tributary of Rock Creek, in accordance with the terms and conditions of Permit No. 19055 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

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

The amount applied to beneficial use is 0.5 cubic foot per second.

The place where said water is used is SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 22, Twp. 11 South, Range 18 East, B. M., Twin Falls County, Idaho.

The water is conducted to such place of use through a private ditch.

The source of supply from which such water is diverted is an unnamed stream, tributary to Rock Creek.

Proof of the application to beneficial use of 0.6 cubic foot per second of the waters of the West Fork of Rock Creek, in accordance with the terms and conditions of Permit No. 19054 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

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

The amount applied to beneficial use is 0.6 cubic foot per second.

The place where said water is used is SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 22, Twp. 11 South, Range 18 East, B.M., Twin Falls County, Idaho.

The water is conducted to such place of use through a private ditch.

The source of supply from which such water is diverted is the West Fork of Rock Creek.

The name and postoffice address of the person holding the above numbered permits is Curtis W. Bower, Kimberly, Idaho.

The date of priority which said user is prepared to establish on each of the above numbered permits is September 27, 1940.

JAMES SPOFFORD
Commissioner of Reclamation

19052

October 31, 1940

Re: Permits Nos. 19052-19053-19054

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

Dear Mr. Hamilton:

We acknowledge receipt of your letter of October 29th, enclosing affidavits of Completion of Works under the above numbered permits, in the name of Curtis W. Bower, and also your check for \$15.00 to pay the statutory fees in connection with these proofs. The Department's Receipt # 17619 is enclosed herein, and the Certificates of Completion of Works will be sent you within a few days.

In accordance with your request, we have combined the notice of beneficial use proof under these three permits, and have set the date for 10:00 o'clock A.M., December 5th, which we hope will be convenient for you and your client, Mr. Bower.

The notice has been sent to the Kimberly Advertiser, as per copy enclosed, with instructions to publish the notice once a week for four consecutive weeks, commencing with next week's issue, which will allow the necessary four weeks prior to December 5th.

In regard to the field examination, our Field Engineer, Mr. Tolman, will try to make this examination some time during November. We cannot give you the exact date at this time, but Mr. Tolman will try to contact Mr. Bower at the time set for this examination, so that he may show him over the grounds.

Very truly yours,

JAMES SPOFFORD
Commissioner of Reclamation

By

Chief Clerk

JLA
Encl.

19052

LAW OFFICES OF
S. T. HAMILTON
TWIN FALLS, IDAHO
October 29, 1940



Mr. James Spofford
Commissioner of Reclamation
Boise, Idaho

Dear Mr. Spofford:

Herewith please find Proof of Completion of Works, Permits 19052, 19053, 19054, Curtis W. Bower together with your fees in the sum of \$15.00.

Also find Application for Proof of Beneficial Use of Water.

Mr. Bower is negotiating a loan on his land and this water right is necessary in connection with his application. If this proof of beneficial use could be made soon and examination made by your department it would help him materially.

Very truly yours,



S. T. Hamilton

STH:MEB

P. S. If it is possible to cover the three proofs in one publication Mr. Bower will appreciate it.

S. T. H.

19052

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) October 29, 1940

(P. O.) Kimberly, 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
Kimberly Advertiser of Kimberly, published in
the county in which the works are situated.

Charles W. Brewer

(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.

19052

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

Notice is hereby given that at A. M. on the day of, 19.....
 at Twin Falls, County of Twin Falls, State of Idaho, before
S. T. Hamilton, Notary Public proof will be submitted of the
 application to beneficial use of .15 cubic feet per second of the waters of Unnamed
Stream In accordance with the terms and conditions of Permit No. 19052
 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.....
Curtis W. Bower, Kimberly, Idaho

The use to which said water has been applied is Irrigation and Domestic

The amount applied to beneficial use is .15 cu. ft.

The place where said water is used (if for irrigation, give full and accurate description of the
 lands irrigated) SE¹SW¹ Section 22, Township 11 South, Range 18 in Twin
Falls County, State of Idaho

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

The right to take water from such works is based upon Permit No. 19052

The source of supply from which such water is diverted is SE¹SW¹ (in NW corner)

Section 47, T. 11 S., R. 18 E. B. M. Twin Falls County, Idaho

The date of priority which said user is prepared to establish is September 27, 1940

.....
 Commissioner of Reclamation.

19052

Proof of Completion of Works

STATE OF IDAHO

County of Twin Falls } ss.

Curtis W. Bower

First: That he is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho,
No. 19052, and that his postoffice address is Kimberly,
State of Idaho

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

Third: That the point of diversion of said water is $\text{SE}\frac{1}{4}\text{SW}\frac{1}{4}$ (in NW corner) of Sec. 27
T. 11 S., R. 18 E., B. M., Twin Falls County, Idaho

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by March 28, 1940.

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

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

1. Kind of works: Diversion dam and ditch

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

II. Dimensions of work:

(a) Height of dam 3 feet, length of dam at top 8 feet, length of dam at bottom 3 feet. Material used in construction earth and rock

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

(b) Capacity of reservoir.....acre feet.

(c) Size of headgate: Width No headgate used feet.

(d) Conduit ditch width at bottom 3 feet, width at water line 3
(State whether ditch, flume or pipe.)
feet, depth of water _____ feet; diameter of pipe _____ inches, average grade
per mile is 10 feet. Length of conduit is 1 miles.

Seventh: That said works are capable of conducting to the place of intended use.....5
second feet of water.

Eighth: That water appropriated under said permit is available for.....25.....acres of land described as follows:.....SE¹/₄SW¹/₄ S. 22, T. 11 S., R. 18 E. B. M. Twin Falls County, Idaho.....

Ninth: Remarks: That


(Sign here)

Subscribed and sworn to before me this 29th day of October, 1940

My commission expires.....

Notary Public.

Notary Public for Idaho
Residing at Twin Falls

19052

October 3, 1940

Re: Permits Nos. 19052, 19053 and 19054

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

Dear Mr. Hamilton:

We are enclosing herewith the above numbered permits, in the name of Curtis W. Bower also Departmental Receipt # 17576 for the \$15.00 filing fees.

Although the applications stated that the works were already completed, you will note that we have allowed six months in the permits as approved, in order to give ample time for all the necessary proofs to be made.

We are enclosing herewith the forms of affidavit required to make the completion of works proof. which, of course, you understand in regard to making- to be returned to this Department with the statutory fee of \$5.00 each, upon receipt and approval of which Certificates of Completion of Works will be issued.

We are also enclosing the necessary forms upon which to make the notices in connection with beneficial use proof. filling in with the time, place, and name of the Notary Public before whom the depositions will be taken; and also the authorization for publication in the newspaper which you may designate.

Very truly yours,

JAMES SPONFORD
Commissioner of Reclamation
By

Chief Clerk

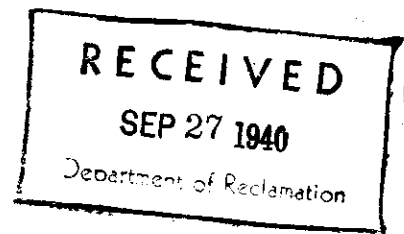
JLA
Encls.

19052

[illegible]

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

September 26, 1940



Hon. James Spofford
Commissioner of Reclamation
Boise, Idaho

Dear Commissioner:

Herewith find 3 applications, Curtis W. Bower,
to appropriate water of the State of Idaho.

This water has been used on the land for more
than 30 years and no right of use has been
questioned and is not now questioned.

Mr. Bower has an opportunity to lower a rate
of interest payment by making a loan on the
property but the company offering this loan
requires some record title of water right.

Mr. Bower can file his proof completion of work
at any time and would like to have his proof
of beneficial use at as early a date as is
convenient to your office.

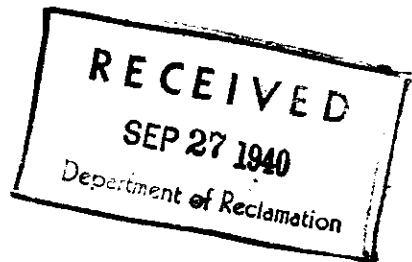
I enclose herewith check \$15.00 in payment for
the three applications.

Very truly yours,



S. T. Hamilton

STH:EMB



19052

Legal Notices!

NOTICE FOR PUBLICATION

NOTICE OF PROOFS APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M. on December 5, 1940, at Twin Falls, County of Twin Falls, State of Idaho, before S. T. Hamilton, Notary Public, the following proofs will be submitted:

Proof of the application to beneficial use of 0.5 cubic foot per second of the waters of an unnamed stream, a tributary of Rock Creek.

in accordance with the terms and conditions of Permit No. 19052 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

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

The amount applied to beneficial use is 0.5 cubic foot per second.

The place where said water is used is SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22, Twp. 11 South, Range 18 East, B. M., Twin Falls County, Idaho.

The water is conducted to such place of use through a private ditch.

The source of supply from which such water is diverted is an unnamed stream, tributary to Rock Creek.

Proof of the application to beneficial use of 0.5 cubic foot per second of the waters of an unnamed stream, a tributary of Rock Creek, in accordance with the terms and conditions of Permit No. 19053 heretofore issued by the Commissioner of Reclamation of the State

of Idaho where they will be stationed on the Hawaiian Islands.

of Idaho.

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

The amount applied to beneficial use is 0.5 cubic foot per second.

The place where said water is used is SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 22, Twp. 11 South, Range 18 East, B. M., Twin Falls County, Idaho.

The water is conducted to such place of use through a private ditch.

The source of supply from which such water is diverted is an unnamed stream, tributary to Rock Creek.

Proof of the application to beneficial use of 0.6 cubic foot per second of the waters of the West Fork of Rock Creek, in accordance with the terms and conditions of Permit No. 19054 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

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

The amount applied to beneficial use is 0.6 cubic foot per second.

The place where said water is used is SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 22, Twp. 11 South, Range 18 East, B. M., Twin Falls County, Idaho.

The water is conducted to such place of use through a private ditch.

The source of supply from which such water is diverted is the West Fork of Rock Creek.

The name and postoffice address of the person holding the above numbered permits is Curtis W. Bower, Kimberly, Idaho.

The date of priority which said user is prepared to establish on each of the above numbered permits is September 27, 1940.

JAMES SPOFFORD
Commissioner of Reclamation
(Nov. 8-15-22-29)

Kimberly Advertiser
Nov. 8-1940