

NOTICE FOR PUBLICATION
Notice of Proof Application of Water to Beneficial Use.

Notice is hereby given that at 10:00 A. M. on the 5th day of February, 1938, at Boise, County of Ada, State of Idaho, before H. B. Bray, Notary Public, proof will be submitted of the application to beneficial use of 3.08 cubic feet per second of the waters of a tunnel tributary to Rock Creek, in accordance with the terms and conditions of Permit No. 18406 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 Fish and Game Department of the State of Idaho, Boise, Idaho.

The use to which said water has been applied is fish hatchery purposes.

The amount applied to beneficial use is 3.08 second feet.

The place where said water is used is SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 21, T. 10 S., R. 17 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 private pipe line.

The right to take water from such works is based upon Permit No. 18406.

The source of supply from which such water is diverted is a tunnel tributary to Rock Creek.

The date of priority which said user is prepared to establish is January 12, 1937.

18406 R. W. FARIS,

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

COUNTY OF TWIN FALLS,

ss.

No.

38

I, Lisa Malony, being first duly sworn upon oath depose and say that I am Principal Clerk of the IDAHO EVENING TIMES, published daily, except Sunday, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice or advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for 4 consecutive Mondays, commencing with the issue dated January 10, 1938, and ending with the issue dated January 3, 1938.

And I do further certify that said newspaper has been published as a daily paper, except Sunday, under said name and in said city and county, continuously and uninterruptedly during a period of more than twelve consecutive months prior to the first publication of said notice or advertisement.

And I further certify that pursuant to Section 58-108 I. C. A., 1932, as added thereto by Chapter 154, Idaho 1933 Session Laws, Thursday of each week has been designated as the day on which legal notices required by law or by order of any court of competent jurisdiction within the State of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said paper, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

Subscribed and sworn to before me this 12th day of March, 1938.

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

18406

State of Idaho

License and Certificate of Water Right

Water License No. 18406
 Water District No. _____

Amount 3.08
 Priority January 12, 1937

THIS IS TO CERTIFY that SOUTHERN IDAHO FISH AND GAME ASSOCIATION
 of Twin Falls, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated January 12, 19 37; that Permit No. 18406
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
3.08 second feet, was issued thereunder on February 24, 19 38, showing that said works
 were completed on the 7th day of December, 19 37; and that on the 5th
 day of February, 19 38,

FISH AND GAME DEPARTMENT OF STATE OF IDAHO, ASSIGNEE,
 of Boise, State of Idaho, made proof to the satisfaction of the
 Commissioner of Reclamation of Idaho, of the right to use the waters of a tunnel
, a tributary of Rock Creek, for the purpose of fish hatchery only
, under Use Permit No. 18406 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 3947, on the 15th day of April, 19 39;

The right hereby confirmed dates from January 12, 19 37;

The Point of Diversion is located
 in these 1/4 NE 1/4, Sec. 21, Tp. 10 S., R. 17 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 3.08
 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 15th day of April, 19 39

JAMES SPOFFORD
 Commissioner of Reclamation

(SEAL)

47 2208

(SEAL)

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

Application No. 25697
Permit No. 18406
District No.

1. Name of Applicant: SOUTHERN IDAHO FISH & GAME ASSOCIATION

Postoffice address: Twin Falls County: Twin Falls State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation: January 28th, 1929 Twin Falls, Idaho
(b) Amount of capital stock: None
(c) Amount paid in: None
(d) Names and addresses of directors: Nathan White; Claude S. Stewart; I. E. Appell; Robert Whitzel; Larry Bassett; W. R. Priebe; Harry Severns; Lee Logan; Pat Daly; all residing at Twin Falls, Idaho

II. The financial resources of the applicant are:

- (a) Cash on hand:
(b) Treasury stock: None
(c) Bonds to be issued: None
(d) Other resources: Buildings, Rearing Ponds and Hatching Equipment, with lands on which same are located of the value of \$5000.00

2. Quantity of water claimed: 3.08 cubic feet per second.

3. Source of water supply: Tunnel (see plat attached) 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 in the SE $\frac{1}{4}$ NE $\frac{1}{4}$
of Section 21 , T. 10 S. , R. 17 E. , B. M., County of Twin Falls

5. Water is to be used for: Fish Hatchery Purposes Only

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: \$ 5000.00

8. Kind of works: Tunnel and pipe

9. Height of dam feet; length of dam at top feet; length of dam at bottom
feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom feet; width at water line feet; depth of water
feet; dimensions of flume:

Diameter of pipe 8 inches; length of conduit 100' miles
Average grade per mile feet.

12. The time required for the completion of such work is 1 years.

13. The time required for the complete application of the water to the proposed use is no additional years.
Water from tunnel has been used for hatchery purposes since 1926 continually

14. The land to be irrigated is described in the following tabulation: See remarks.

15. (a) Is reservoir to be used? No 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.

SOUTHERN IDAHO FISH & GAME ASSOCIATION Applicant.

By N. H. White, Pres. Agent.

Date of first receipt at Department of Reclamation: 3:00 P. M., January 12, 1937

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 18406

Recorded in Book 67 Page 18406 Approved February 5, 1937

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 April 6, 1937 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before August 5, 1937

The whole of said work to be completed on or before February 5, 1938

Beneficial use of water appropriated in accordance herewith, to be made on or before February 5, 1938

Witness my hand this 5th day of February, 1937

R. W. FARIS *Commissioner of Reclamation.*

Remarks:

14.

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	
			KNOW ALL MEN BY THESE PRESENTS, That, WHEREAS, The Southern Idaho Fish & Game Association, a Corporation, of Twin Falls, Twin Falls County, State of Idaho is the owner and holder of Water Permit No. 18406, for the appropriation of the public waters of the State of Idaho for Fish Hatchery purposes only, said Permit having heretofore and on the 5th day of February, 1937, been approved by the Commissioner of Reclamation of the State of Idaho, and WHEREAS, At a regular meeting of the Board of Directors of the Southern Idaho Fish & Game Association, a Corporation, held at Twin Falls, Idaho, on the 20 day of April, 1937, the following resolution was made, adopted and ordered spread upon the minutes of said Association Corporation, to-wit- "Be it resolved that the President and Secretary of this Association, be, and they are hereby authorized and directed to execute and deliver to the Fish & Game Department of the State of Idaho, an assignment and transfer of all the right, title and interest of the Association in and to Water Permit No. 18406" NOW THEREFORE, pursuant to such resolution, the Southern Idaho Fish & Game Association, A Corporation, of Twin Falls, Twin Falls County, State of Idaho, the party of the first part, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration to it in hand paid by, and received from, the Fish & Game Department of the State of Idaho, the party of the second part, do by these presents, assign, transfer and set-over unto the said second party, all the right, title and interest of said first party, in and to that certain Water Permit as evidenced by Application No. 25697-Permit No. 18406, as approved by the Commissioner of Reclamation of the State of Idaho, on the 5th day of February, 1937, and recorded in Book 67 at page 18406, Records of said Department. IN WITNESS WHEREOF, The said Southern Idaho Fish & Game Association, a Corporation, has caused its corporate name to be hereunto subscribed and its corporate seal to be hereto affixed, by its President and attest by its Secretary, this 20th day of April, 1937, SOUTHERN IDAHO FISH & GAME ASSOCIATION A Corporation, By IRWIN A. APPELL President Attest LARRY BASSETT Secretary																

STATE OF IDAHO '
 ' ss.
County of Twin Falls'

On this 20th day of April, in the year 1937, before me, S. Claud Stewart, A Notary Public in and for said County and State, personally appeared Irwin A. Appell and Larry Bassett, personally known to me to be the President and Secretary of the Corporation executing the within instrument, and acknowledged to me that such Corporation executed the same.

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

S. CLAUD STEWART
Notary Public

(SEAL)

Received and filed for record in the
Department of Reclamation at Boise,
Idaho, at 1:30 P. M., April 22, 1937.

R. W. FARIS
Commissioner of Reclamation
By P.L.H.

Permit No. 18406

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that the FISH AND GAME DEPARTMENT OF THE STATE OF IDAHO of Boise, County of Ada, and State of Idaho, the holder of Permit No. 18406, issued upon Application No. 25697 bearing date of priority of January 12, 1937, authorizing the diversion of 3.08 second feet of the waters of a tunnel tributary to Rock Creek, County of Twin Falls, State of Idaho, for fish hatchery 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 works are adequate for diverting and conveying to the place of intended use 3.08 second feet of the waters of said tunnel; that the point of diversion of said waters is in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 21, T. 10 S., R. 17 E., B. M., County of Twin Falls.

Witness my hand this 24th day of February, A. D. 1938.

R. W. FARIS
Commissioner of Reclamation

Proof of completion of works made December 7, 1937.
Certificate issued February 24, 1938.

LICENSE ISSUED FOR 3.08 SEC. FT.
P 3947

April 15, 1939

Re: Permit No. 18406

Fish & Game Department of
State of Idaho,
B U I L D I N G.

Gentlemen:-

We are herewith enclosing License and Certificate of Water Right issued under the above numbered permit, confirming the right of the Fish & Game Department of the State of Idaho to use 3.08 second feet of the waters of a tunnel, which is tributary to Rock Creek, with a date of priority of January 12, 1937, for Fish Hatchery purposes.

The Department's Receipt for the \$5.00 fee paid in connection with final proof is also enclosed.

Very truly yours,

JAMES SPOTFORD
Commissioner of Reclamation
By

JLA
Enca.

Chief Clerk

18406

Harry Dewey

James Spofford, Commissioner

C. A. Bottolfson, Governor

February 1, 1939

Re: Permit No. 18406

Fish & Game Department of the
State of Idaho,
State House,
Boise, Idaho.

Gentlemen:-

A short time ago we received the report of
our field engineer on examination for beneficial
use under the above numbered permit.

This report shows that the water is being used for
fish hatchery purposes and upon receipt of the
\$5.00 fee a license will be issued.

Very truly yours,

JAMES SPOFFORD
Commissioner of Reclamation

By
Chief Clerk

JLA

18406

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 18406

This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant Fish and Game Department of the State of Idaho

2. Source of water supply: Tunnel tributary to Rock Creek

3. Location of point of diversion: Is in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 21

T. 10 S. R. 17 E., B. M. County of Twin Falls

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

75 ft. of 15" steel pipe leads to fish pond distribution
system immediately below mouth of tunnel; 14 concrete
fish ponds of from 2 to 4 ft deep x 7 ft wide x 50 ft long and
Hatchery house 22' x 60'

5. Water is used for: fish hatchery 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): No irrigation.

(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: Maximum yearly hatch 1,250,000 trout.

This examination was made on the 8th day of April, 1998

(Signed)

[Signature]

Examiner.

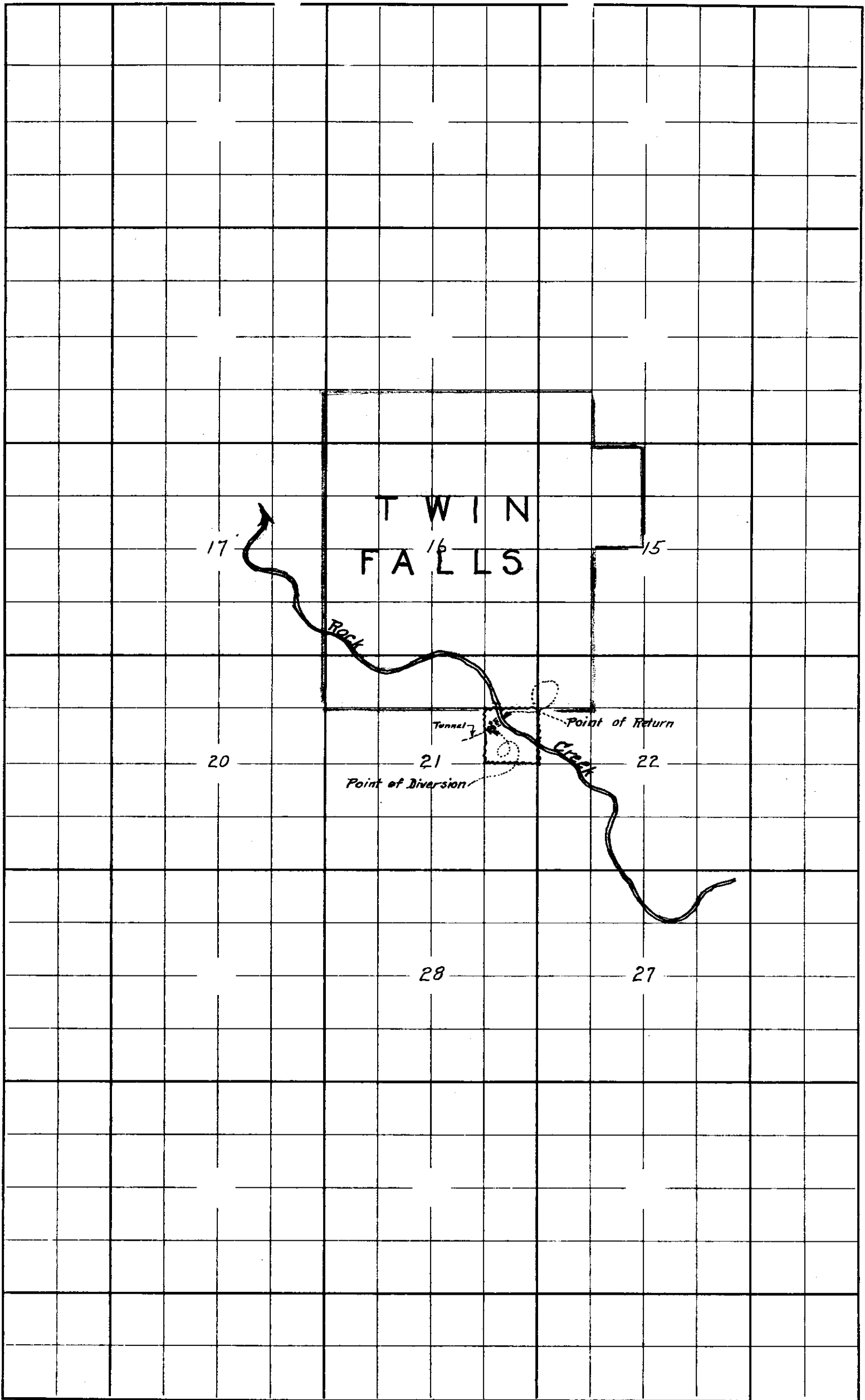
18406

Claud C. Drake, Agent
Fish & Game Dept.
Boise, Ida.
Permit No. 18406

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. 18406

REPORT ON PROOF OF BENEFICIAL USE

3.12.39
B.U. Fee \$5.00

H.D. 2-1-39

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

COUNTY OF TWIN FALLS,

ss.

Nº

38

I, Lisa Molony, being first duly sworn upon oath depose and say that I am Principal Clerk of the IDAHO EVENING TIMES, published daily, except Sunday, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice or advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for 4 consecutive Mondays commencing with the issue dated January 10, 1938, and ending with the issue dated January 3, 1938.

And I do further certify that said newspaper has been published as a daily paper, except Sunday, under said name and in said city and county, continuously and uninterruptedly during a period of more than twelve consecutive months prior to the first publication of said notice or advertisement.

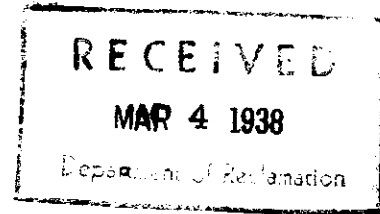
And I further certify that pursuant to Section 58-108 I. C. A., 1932, as added thereto by Chapter 154, Idaho 1933 Session Laws, Thursday of each week has been designated as the day on which legal notices required by law or by order of any court of competent jurisdiction within the State of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said paper, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

Subscribed and sworn to before me this 12th day of March, 1938

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

18406

18406



March 4, 1938

Mr. R. S. Tofflemire
Idaho Evening Times
Twin Falls, Idaho

Dear Mr. Tofflemire:

I am very much in need of an affidavit showing publication of proof from your office for water filing at the Twin Falls Hatchery. I wish to refer you to a letter that I sent to your paper on February 7 asking for this affidavit and enclosing voucher. I wish you would check this for me and see that an affidavit is sent to this department immediately so we can complete the publication on this filing to the satisfaction of the Reclamation Department.

Very truly yours,

A handwritten signature in cursive script that reads "Claud C. Drake".

Claud C. Drake
State Fish Commissioner

A circular stamp containing the letters "C" and "D" in a stylized font, possibly representing "CDD" or "CD".

CDD/e

CC: R. W. Faris

18406

March 2, 1938

Re: Permit No. 18406.

W. R. McIntyre, Commissioner
Fish and Game Department
B U I L D I N G

Attention: Claud C. Drake.

Dear Sir:

A few weeks ago we received the deposition of the holder and depositions of two witnesses in connection with beneficial use proof under the above-numbered permit to appropriate water for fish hatchery purposes. However, we have not yet received the affidavit of publication from the newspaper. Will you please see that this affidavit is furnished this department.

Before final action can be taken in this matter, the law requires that a field examination be made by an engineer from this department. We are unable to say just when this examination will be made, since the department has but one field engineer who makes examinations all over the state.

However, Mr. Tolman, Field Engineer for this department, will contact you at the time set for examination so that you may show him over the grounds. After his report is on file in this office, you will be further notified as to fees due before the issuance of your license.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By

Chief Clerk

j1

18406

February 25, 1938

Re: Permit No. 18406.

Mr. W. R. McIntyre, Commissioner
Fish and Game Department
B U I L D I N G

Dear Mr. McIntyre:

We are herewith enclosing Certificate of Completion of Works issued under the above-numbered permit to appropriate water for fish hatchery purposes.

The Department's Receipt No. 16539 for the \$5.00 fee paid in connection with this certificate is also enclosed.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By

Chief Clerk

j1
Encl.

18406

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

FEB 7 1938

PERMIT NO. 18406

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Claud C. Drake. Age 44. Boise, Idaho. State Fish Commissioner. Box 417.
Boise, 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. State of Idaho, Department of Fish and Game, State Fish Commissioner.

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

Ans. Permit No. 18406 Feb. 5, 1937. Jan. 12, 1937

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

Ans. Drainage tunnel at mouth of tunnel located back of State Fish Hatchery
South side of Rock Creek near Twin Falls, Idaho. SE 1/4, Sec. 21, T. 10 S.,
R. 17 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. _____

Pipe line system capable of handling three second ft. of water.

No. canal, just State Fish and Game Department Pipe line.

✓ 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. _____

State Fish Hatchery and Rearing Ponds. Construction of dwelling.

Fish Hatchery and fifteen concrete rearing ponds.

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

Ans. Not for irrigation

18406

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

Ans. Three Second Ft.

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. Assignment by Southern Idaho Fish & Game Assn.

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

Ans. _____

Fish Hatchery purposes for artificial propagation of trout. Full amount of water used.

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

Ans. None

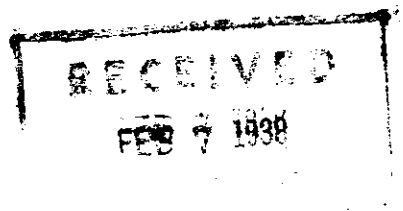
(Sign) State Fish & Game Dept
Land & State

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 Baino County of Ada State of Idaho, on this 5 day of February A. D. 1938

H. B. Burkett
NOTARY PUBLIC FOR STATE OF IDAHO
RESIDING AT NAMPA, IDAHO

My commission expires ~~MY~~ COMMISSION EXPIRES APRIL 12, 1938

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



PERMIT NO. 18406

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. Felix A Plastino, 43, Jerome, Idaho, Supt.
State Game Farm, Jerome Idaho

Ques. 2. Are you acquainted with Claud G. Drake, agent for x the holder of Permit No. 18406? How long have you known him and where does he reside?

Ans. Yes About 12 years.

Ques. 3. Have you read or heard read said Permit No. 18406, 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. Drainage tunnel, Twin Falls, South side
Rock Creek canyon, Place of diversion,
mouth of tunnel, Piped to hatchery

SE 1/4 NE 1/4, Sec. 21, T. 10 S., R. 17 E., B. M.

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

Ans. Three, Three

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. Used for Propagation + Rearing of
Fish

18406

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

Ans. Used for propagation and rearing of fish, to the extent of 3 sec. ft.

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. Deposition of Witness

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

Ans. None

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

Ans. At odd times during past ten years and as recently as 2/4/38

(Signed)

John C. Perkins

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 Boise County of Ada State of Idaho, on this day of 5 - Jun, A. D. 1938.

NOTARY PUBLIC FOR STATE OF IDAHO

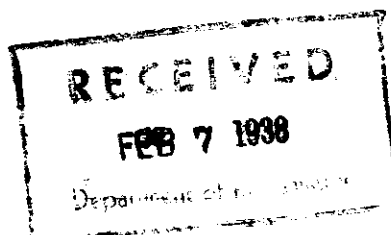
RESIDING AT NAMPA, IDAHO.

My commission expires

APRIL 12, 1940

Notary Public.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



PERMIT NO. 18406

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. Freeman A. Smith, 50, Boise, Idaho, Chief Clerk, Department of Fish
And Game, Boise, Idaho

Ques. 2. Are you acquainted with _____, the holder of Permit No. 18406? How long have you known him and where does he reside?

Ans. Yes 3 years.

Ques. 3. Have you read or heard read said Permit No. 18406, 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. Drainage tunnel, Twin Falls, South side Rock Creek Canyon, Place of
diversion, mouth of tunnel, Piped to hatchery. ~~Subdiv. Sec. 21, T.~~
10 S., R. 17 E., B. M.

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

Ans. Estimate three feet, have seen three 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. Use -- Propagation and Rearing of Fish.

18406

CHAS. S. STATE
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

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

Ans. Not used for power purposes

Used for propagation and rearing of fish, to the extent of 3 sec. ft.

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. Not used for 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. At various times during the past five years. Last time - January, 1938.

(Signed)

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 Boise, County of Ada, State of Idaho, on this day of February 4th, A. D. 1938.

Notary Public.

My commission expires

NOTARY PUBLIC FOR STATE OF IDAHO
RESIDING AT NAME, IDAHO

MY COMMISSION EXPIRES APRIL 12, 1940

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

BOISE, IDAHO,
February 1, 1938

H. B. Bray, Notary Public
Fish and Game Department
B U I L D I N G

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 18406

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 February 5, 1938, 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 Boise, Idaho before H. B. Bray, 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.

R. W. PARIS
Commissioner of Reclamation.

18406

January 11, 1938

Re: Permit No. 18406.

Mr. Claud C. Drake
Fish and Game Department
B U I L D I N G

Dear Mr. Drake:

This will acknowledge receipt of notice in duplicate for publication in connection with beneficial use proof, and also your authorization to have the notice published in the Idaho Evening Times, Twin Falls, Idaho, all in connection with Permit No. 18406.

A copy of the notice has been mailed to the newspaper with instructions to publish it once a week for four consecutive weeks prior to February 5, 1938. A few days prior to this date depositions, consisting of one for the holder and one each for two witnesses, will be sent to H. B. Bray, Notary Public in your office, so that he will have them available for the proof.

On the date designated you should appear before Mr. Bray, together with two disinterested witnesses who are familiar with the terms of the permit and the works constructed thereunder, for the purpose of executing the depositions.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By

Chief Clerk

j1

18406

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date January 7, 1938

18406
THE IDAHO EVENING TIMES
Twin Falls, Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to February 5, 1938, the date set for proof, the expense of the publication to be paid by the applicant, Fish and Game Department of the State of 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,

R. W. PARIS

Commissioner of Reclamation

18406

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

Notice is hereby given that at 10:00 A. M. on the 5th day of February, 1938,
 at Boise, County of Ada, State of Idaho, before
H. B. Bray, Notary Public, proof will be submitted of the
 application to beneficial use of 3.08 cubic feet per second of the waters of a tunnel
tributary to Rock Creek in accordance with the terms and conditions of Permit No. 18406
 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
Fish and Game Department of the State of Idaho, Boise, Idaho.

The use to which said water has been applied is fish hatchery purposes.

The amount applied to beneficial use is 3.08 second feet.

The place where said water is used (if for irrigation, give full and accurate description of the
 lands irrigated) is SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 21, T. 10 S., R. 17 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 private pipe line.

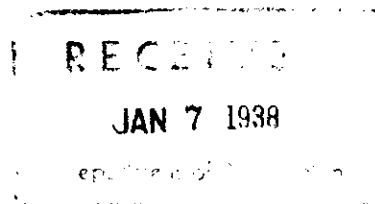
The right to take water from such works is based upon Permit No. 18406.

The source of supply from which such water is diverted is a tunnel tributary to Rock
Creek.

The date of priority which said user is prepared to establish is January 12, 1937.

R. W. FARIS
 Commissioner of Reclamation.

18406



NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) _____

(P. O.) _____

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

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

*State Fish & Game Dept.
by Claude C. Drake*

(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.

18406

JAN 7 1938

Permit No. 18406

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO,

County of Ada

} ss

for Fish and Game Department of the State of Idaho

Claud C. Drake, Acting as agent /, being first duly sworn, upon his oath deposes and says:

First: That ~~he~~ the Fish and Game Department of the State of Idaho is the holder and owner of Permit to appropriate the Public Waters of the state of Idaho, No. 18406, and that his postoffice address is Boise, State of Idaho.

Second: That the name of the stream from which said water is to be diverted is a tunnel tributary to Rock Creek.

Third: That the point of diversion of said water is in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 21, T. 10 S., R. 17 E., B. M., County of Twin Falls.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by February 5, 1938.

Fifth: That the use for which said water is intended is Fish Hatchery Purposes.

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

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

II. Dimensions of work:

(a) Height of dam 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 feet, width at water line feet, depth of water feet; diameter of pipe 12 inches, average grade per mile is feet. Length of conduit is 100 ft. miles.

Seventh: That said works are capable of conducting to the place of intended use 3.08 second feet of water.

Eighth: That water appropriated under said permit is available for acres of land described as follows:

Ninth: Remarks: That

Claud C. Drake
(Sign here)

Subscribed and sworn to before me this 7 day of December, 1937

NOTARY PUBLIC FOR STATE OF IDAHO
OFFICE AT NAMPA, IDAHO
My commission expires MAY COMMISSION EXPIRES APRIL 11, 1939

Burkett Bray
Notary Public.

OK. MB.
18406

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

December 8, 1937

Fish & Game Department
State of Idaho
Boise, Idaho

Dear Sir:—

I enclose herewith blank notice of proof of application of water to beneficial use under your permit No. 18406, which should be filled out and returned to this office at least 60 days before the date upon which you wish to make proof. The date for proof, as set out in your permit, is Feb. 5, 1938, 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,

R. W. FARIS
~~GEO. H. GARTER~~
Commissioner of Reclamation.

18406

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

**Fish and Game Department
State of Idaho
Boise, Idaho**

Boise, Idaho, **December 8, 1937**

Dear Sir:—

Under the terms of your permit No. **18406** you are required to complete your diversion works on or before **February 5, 1938**. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00 a Certificate of Completion will be issued to you.

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

Yours truly,

R. W. FARIS

Commissioner of Reclamation.

18406

XXXXXXXXXX

March 22, 1937

Barzilla W. Clark

Re: Permit No. 18406
Southern Idaho Fish & Game Ass'n

MR. HARRY SEVERIN
Twin Falls, Idaho

Dear Mr. Severin:

We are enclosing herewith our Office Receipt No. 16149 in the amount of \$1.00 covering fee remitted by you for a certified copy of the above permit.

Thanking you for your prompt attention to this matter, we are

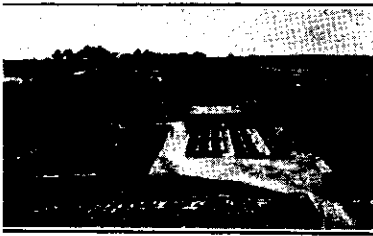
Very truly yours

R. W. FARIS
Commissioner of Reclamation

by
Chief Clerk

cj
encl

18406



TWIN FALLS HATCHERY

*Southern Idaho
Fish and Game Association
Twin Falls, Idaho*

March 19th, 1937.

Mr. R. W. Faris
Commissioner of Reclamation
Boise, Idaho.

Dear Sir;

You will please find enclosed a check
for \$1.00, covering the charge of making a cert-
ified copy of permit No. 18406,

We wish to extend our appreciation for
the prompt service you have rendered in this
matter, again thanking you, we remain,

Yours very truly,
Southern Idaho Fish and Game Assn

Harry Sevin
Chairman Tunnel Committee

18406

~~XXXXXXXXXX~~

Barzilla W. Clark

March 19, 1937

Re: Permit No. 18406
Southern Idaho Fish & Game Ass'n

SIDNEY HARRIS, District Engineer
Works Progress Administration
Sonoma Bldg.
Boise, Idaho

Dear Mr. Harris:

At the request of Mr. Harry Severin, a member of the Board of Directors of the Southern Idaho Fish and Game Association, we are enclosing herewith, certified copy of the above numbered water permit issued to the association under date of February 5, 1937.

We understand that this certified copy is necessary to complete your records on the association's tunnel extension project which is being sponsored by the State Game Department.

Very truly yours

R. W. FARIS
Commissioner of Reclamation

by
Chief Clerk

cj
encl

cc J. D. Wood

18406

XXXXXXXXXX

Bersilla W. Clark

March 19, 1937

Re: Permit No. 18406
Southern Idaho Fish & Game Ass'n

MR. HARRY SEVERIN
Twin Falls, Idaho

Dear Mr. Severin:

In accordance with your request of March 16th, we have today forwarded a certified copy of the above numbered permit to Sidney Harris, District Engineer for the W. P. A. at Boise.

Will you kindly forward this department a check for \$1.00 for this certified copy, as this is the customary charge for such service? Thanking you for your prompt attention to this matter, we are

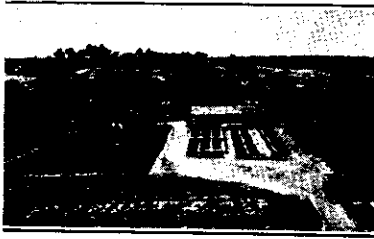
Very truly yours

R. W. FARIS
Commissioner of Reclamation

by
Chief Clerk

cj

18406



TWIN FALLS HATCHERY

*Southern Idaho
Fish and Game Association
Twin Falls, Idaho*

March 16th, 1937.

Mr. R. W. Faris
Commissioner of Reclamation
Boise, Idaho.

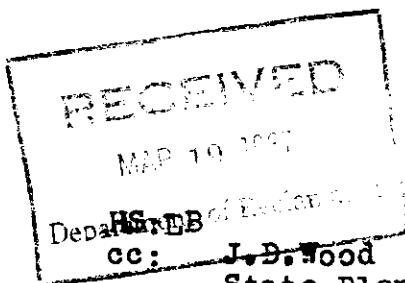
Dear Mr. Faris;

This association having a W.P.A. tunnel extension project and is being sponsored by the State Game Dept, said project is now being held up because the W.P.A. office has not received a certified copy of the water permit granted to us by you. We would very much appreciate it if you would make out a copy of this permit, application No. 25697 & permit No. 18406, made out to The Southern Idaho Fish and Game Association located at Twin Falls, Idaho and send said copy to Mr. S. R. M. Harris District Engineer in care of the W.P.A. office at Boise Idaho.

We received a letter from Mr. J. D. Wood State Planning Consultant explaining to us that this copy of said water permit is holding back the project. If there is anything that we can do to help, please let us know. Thanking you in advance, we remain,

Yours Respectfully,

Harry Seyerin
Harry Seyerin, Chairman
Tunnel ext. Committee
Southern Idaho Fish & Game



State Planning Consultant.

18406

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 18406

February 5, 1937

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.

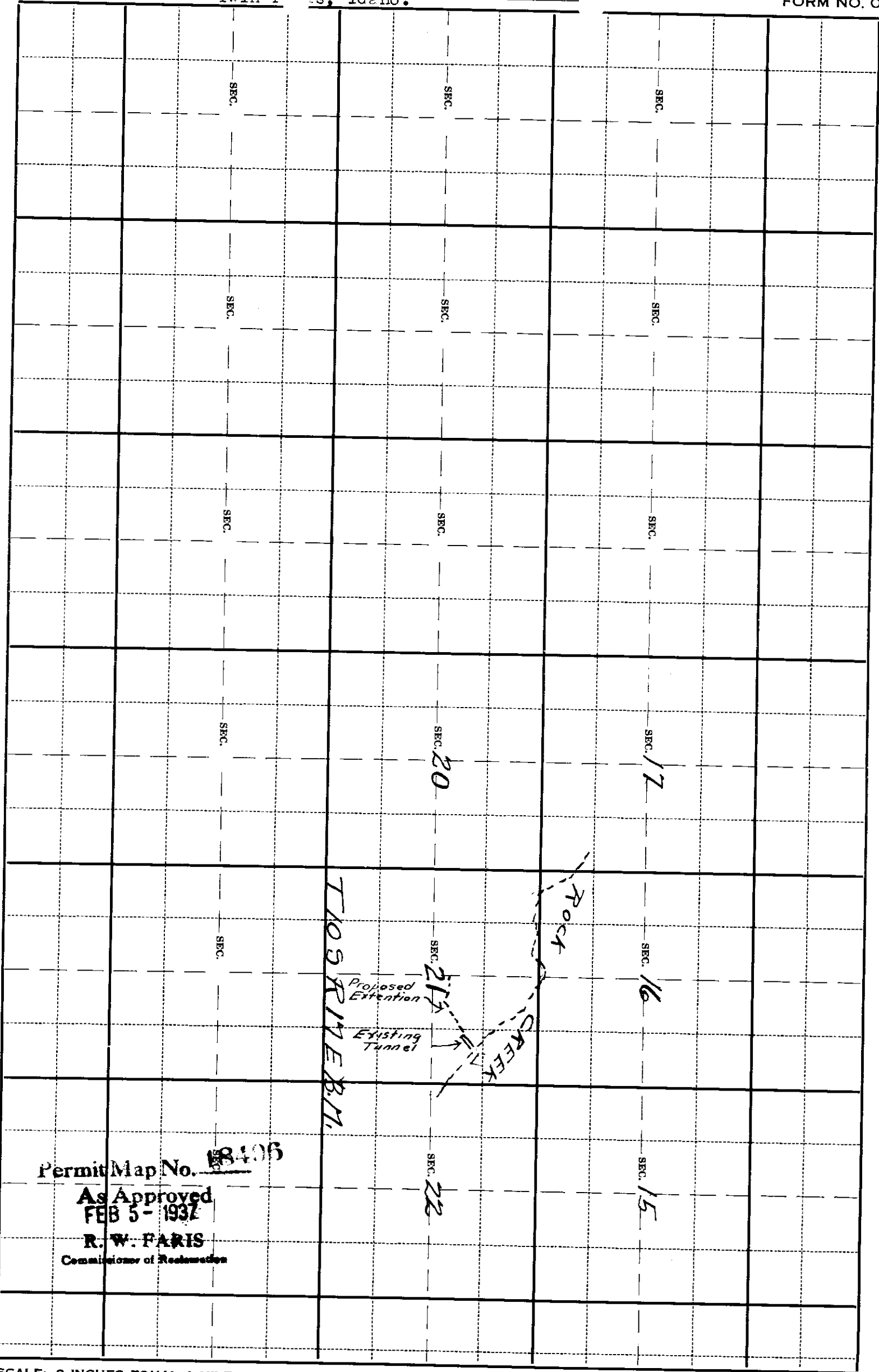
SOUTHERN IDAHO FISH & GAME ASS'N
c/o M. H. White, Pres.
Twin Falls, Idaho

R. W. PARIS

Office Receipt No. 16107, \$5.75

Commissioner of Reclamation.

18406

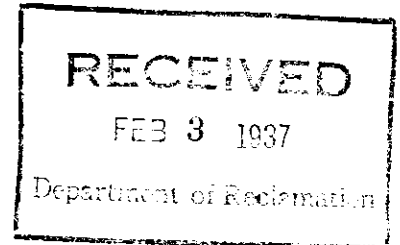


Southern Idaho Fish & Game Association

Twin Falls, Idaho

Jan, 30, 1937.

R.W.Faris
Commissioner of Reclamation
Boise, Idaho.



Dear Sir;

You will please find enclosed a check for \$5.75 covering a filing fee, which this Ass'n has made application for on water coming from a tunnel located in the SE--NE; 21&10-17, in Twin Falls County, Idaho. The application for this water has been filled out and is in your office at present.

We would appreciate your cooperation in sending us at your earliest convenience the papers necessary to procure said water.

Thanking you in advance, we remain

Yours very Truly

So. Ida Fish and Game Ass'n

Larry Bassett
Secretary.

18406

January 28, 1937

Re: Application for Permit
Southern Idaho Fish & Game Ass'n

CLAUD STEWART, Secretary
Southern Idaho Fish & Game Ass'n
Twin Falls, Idaho

Dear Sir:

On January 12th, you submitted to this department an application to appropriate 3.08 second feet of water from a tunnel tributary to Rock Creek in Twin Falls County for fish hatchery purposes. Several days thereafter, a Mr. Smith from Twin Falls appeared in this office and with his help, I made some minor changes so that the application is now complete.

The statutes require a fee of \$5.75 for this application, and if you will kindly submit this amount at your earliest convenience, we shall issue a permit for the quantity of water claimed.

Very truly yours

Chief Clerk & Office Engineer

PLH/cj

18406

Southern Idaho Fish & Game Association

Twin Falls, Idaho

January 11- 1937

State of Idaho
Department of Reclamation,
Boise, Idaho.

Gentlemen;

Am sending you herewith Application for Permit to appropriate the waters from a tunnel, same to be used in the operation of our Fish Hatchery which is now under lease to the State Game Department.

Very truly yours,

Southern Idaho Fish and Game Ass'n

By

Stewart
Secretary.

18406