

**MEMORANDUM**

**TO:** **FILE** 47-02195

**FROM:** **VAULT**

**RE:** **TRANSFER #** 69155

**DATE:** ~~80~~ 5-1-2002

=====

**Original Transfer Application, Form and correspondence regarding the above  
referenced Transfer is located within:**

**FILE #** 47-02154

MICROFILMED

MAR 06 2003

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
TRANSFER OF WATER RIGHT  
TRANSFER NO. 69155**

This is to certify that: W T WILLIAMS INC  
C/O TOM WILLIAMS  
2600 N 2941 E  
TWIN FALLS ID 83301  
(208)655-4226

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

**Summary of Water Rights Before the Proposed Change**

| <u>Right</u> | <u>Origin/Basis</u> | <u>Priority</u> | <u>Rate</u> | <u>Volume</u> | <u>Acres</u> | <u>Total</u> | <u>Source</u>    |
|--------------|---------------------|-----------------|-------------|---------------|--------------|--------------|------------------|
| 47-2154      | AJC/License         | 02/02/1922      | 3 cfs       | N/A           |              | 154.0        | COTTONWOOD CREEK |
| 47-15254     | AJC/Beneficial Use  | 04/01/1946      | 100 cfs     | 350 af        |              | 466.0        | COTTONWOOD CREEK |
| 47-2295      | AJC/License         | 12/09/1957      | 6 cfs       | N/A           |              | 851.4        | ROCK CREEK       |
| 47-2195      | AJC/License         | 03/01/1933      | 8.36 cfs    | N/A           |              | 851.4        | MC MULLEN CREEK  |
| 47-2446      | AJC/License         | 04/01/1946      | 20 cfs      | 350 af        |              | 851.4        | MC MULLEN CREEK  |
| 47-2464      | AJC/License         | 12/30/1954      | 8 cfs       | N/A           |              | 851.4        | ROCK CREEK       |
| 47-4476      | AJC/Statutory Claim | 04/01/1942      | 2 cfs       | N/A           |              | 51.0         | MC MULLEN CREEK  |

**Purpose of Transfer (Changes Proposed)**

| <u>Current Number</u> | <u>Split</u> | <u>POD</u> | <u>POU</u> | <u>Add POD</u> | <u>Period of Use</u> | <u>Nature of Use</u> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 47-2154               | NO           | NO         | YES        | YES            | NO                   | NO                   |
| 47-15254              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 47-2295               | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 47-2195               | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 47-2446               | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 47-2464               | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 47-4476               | NO           | NO         | YES        | NO             | NO                   | NO                   |

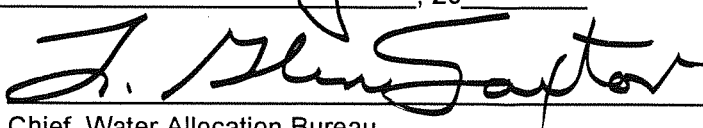
MICROFILMED  
MAR 06 2003

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
TRANSFER OF WATER RIGHT  
TRANSFER NO. 69155

Summary of Water Rights After the Approved Change

| Existing Right | New No. (changed portion) | Transfer Rate    | Transfer Volume | Acre Limit | Total Acres   | New No. (remaining portion) | Remaining Rate | Remaining Volume | Remaining Acre Limit | Remaining Total Acres |
|----------------|---------------------------|------------------|-----------------|------------|---------------|-----------------------------|----------------|------------------|----------------------|-----------------------|
| 47-2154        | 47-2154                   | 3.00 cfs         | N/A             | 154.0      | 1059.0        |                             | N/A            | N/A              | N/A                  | N/A                   |
| 47-15254       | 47-15254                  | N/A              | 350.0 af        | N/A        | 1059.0        |                             | N/A            | N/A              | N/A                  | N/A                   |
| 47-2295        | 47-2295                   | 6.00 cfs         | 2911.0 af       | 765.0      | 1059.0        |                             | N/A            | N/A              | N/A                  | N/A                   |
| 47-2195        | 47-2195                   | 8.36 cfs         | N/A             | 418.0      | 1059.0        |                             | N/A            | N/A              | N/A                  | N/A                   |
| 47-2446        | 47-2446                   | 20.00 cfs        | 350.0 af        | N/A        | 1059.0        |                             | N/A            | N/A              | N/A                  | N/A                   |
| 47-2464        | 47-2464                   | 8.00 cfs         | N/A             | 506.0      | 1059.0        |                             | N/A            | N/A              | N/A                  | N/A                   |
| 47-4476        | 47-4476                   | 1.64 cfs         | N/A             | 51.0       | 1059.0        |                             | N/A            | N/A              | N/A                  | N/A                   |
| <b>TOTALS</b>  |                           | <b>37.00 cfs</b> | <b>N/A</b>      | <b>N/A</b> | <b>1059.0</b> |                             | <b>N/A</b>     | <b>N/A</b>       | <b>N/A</b>           | <b>N/A</b>            |

Detailed Water Right Description(s) attached

Dated this 14<sup>th</sup> day of January, 2003  
  
 Chief, Water Allocation Bureau

MICROFILMED  
MAR 06 2003

**Right Holder:** W T WILLIAMS INC  
C/O TOM WILLIAMS  
2600 N 2941 E  
TWIN FALLS ID 83301

**Tributary:** COTTONWOOD CREEK

MC MULLEN CREEK SWNE Sec. 2 Twp 12S Rge 17E TWIN FALLS County

MC MULLEN CREEK                      NWSENE Sec. 2   Twp 12S   Rge 17E   TWIN FALLS  
County

MC MULLEN CREEK NWNESE Sec. 2 Twp 12S Rge 17E TWIN FALLS  
County

MC MULLEN CREEK                      NENWSE Sec. 8   Twp 12S   Rge 18E   TWIN FALLS  
County

| Twp | Rge | Sec | NE   |      |      |      | NW   |      |      |      | SW   |      |      |      | SE   |      |      |       | Totals |
|-----|-----|-----|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|-------|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE    |        |
| 11S | 17E | 13  |      |      |      |      |      |      |      |      |      | 7.0  | 11.0 |      |      |      |      | 18.0  |        |
| 11S | 17E | 23  | 20.0 |      | 33.0 | 41.0 |      |      |      |      |      |      |      | 41.0 | 33.0 |      |      | 168.0 |        |
| 11S | 17E | 24  |      |      |      |      | 40.0 | 38.0 | 40.0 | 40.0 | 40.0 | 39.0 | 40.0 | 40.0 | 20.0 | 40.0 | 32.0 | 409.0 |        |
| 11S | 17E | 25  | 40.0 | 32.0 | 17.0 | 40.0 |      | 8.0  | 20.0 |      |      |      |      | 41.0 | 41.0 | 41.0 | 41.0 | 321.0 |        |
| 11S | 18E | 30  |      |      |      |      | 10.0 | 24.0 | 25.0 | 13.0 | 21.0 | 25.0 | 19.0 | 6.0  |      |      |      | 143.0 |        |
|     |     |     |      |      |      |      | L1   | L2   |      |      | L3   | L4   |      |      |      |      |      |       |        |

MICROFILMED  
MAR 06 2003

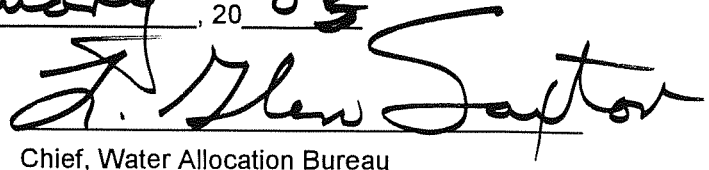
**WATER RIGHT NO. 47-2195**  
**As Modified by Transfer No. 69155**

**CONDITIONS OF APPROVAL**

1. Rights 47-2195, 47-2446, and 47-4476 when combined shall not exceed a total diversion rate of 20.00 cfs.
2. This right is limited to the irrigation of 418 acres within the place of use described above in a single irrigation season.
3. Rights 47-2154 and 47-2195 when combined are limited to the irrigation of 450 acres within the place of use described above in a single irrigation season.
4. Rights 47-2154, 47-2195, and 47-4476 when combined are limited to the irrigation of 501 acres within the place of use described above in a single irrigation season.
5. Rights 47-2154, 47-2195, 47-4476, and 47-2464 when combined are limited to the irrigation of 733 acres within the place of use described above in a single irrigation season.
6. Rights 47-2154, 47-2195, 47-4476, 47-2464, and 47-2295 when combined are limited to the irrigation of 972 acres within the place of use described above in a single irrigation season.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
8. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 14<sup>th</sup> day of January, 2003

  
Chief, Water Allocation Bureau

MICROFILMED

MAR 06 2003

**Right Holder:** W T WILLIAMS INC  
C/O TOM WILLIAMS  
2600 N 2941 E  
TWIN FALLS ID 83301

**Tributary:** SNAKE RIVER

**LOCATION OF POINT(S) OF DIVERSION:**

ROCK CREEK                      SWSWNW   Sec. 20   Twp 11S   Rge 18E   TWIN FALLS  
County

**PLACE OF USE:** IRRIGATION

| Twp | Rge | Sec | NE   |      |      |      | NW   |      |      |      | SW   |      |      |      | SE   |      |      |       | Totals |
|-----|-----|-----|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|-------|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE    |        |
| 11S | 17E | 13  |      |      |      |      |      |      |      |      |      | 7.0  | 11.0 |      |      |      |      | 18.0  |        |
| 11S | 17E | 23  | 20.0 |      | 33.0 | 41.0 |      |      |      |      |      |      |      | 41.0 | 33.0 |      |      | 168.0 |        |
| 11S | 17E | 24  |      |      |      |      | 40.0 | 38.0 | 40.0 | 40.0 | 40.0 | 39.0 | 40.0 |      | 20.0 | 40.0 | 32.0 | 409.0 |        |
| 11S | 17E | 25  | 40.0 | 32.0 | 17.0 | 40.0 |      | 8.0  | 20.0 |      |      |      |      | 41.0 | 41.0 | 41.0 | 41.0 | 321.0 |        |
| 11S | 18E | 30  |      |      |      |      | 10.0 | 24.0 | 25.0 | 13.0 | 21.0 | 25.0 | 19.0 | 6.0  |      |      |      | 143.0 |        |
|     |     |     |      |      |      |      |      | L 1  | L 2  |      |      | L 3  | L 4  |      |      |      |      |       |        |

Total Acres: 1059

MICROFILMED

MAR 06 2003

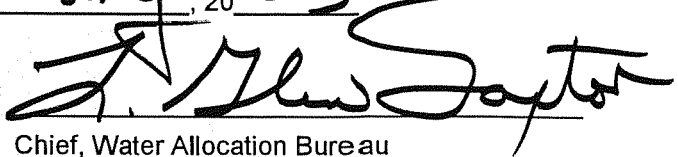
**WATER RIGHT NO. 47-2295**  
**As Modified by Transfer No. 69155**

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 765 acres within the place of use described above in a single irrigation season.
2. Rights 47-2154, 47-2195, 47-4476, 47-2464, and 47-2295 when combined are limited to the irrigation of 972 acres within the place of use described above in a single irrigation season.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 14<sup>th</sup> day of January, 2003

  
Chief, Water Allocation Bureau

MICROFILMED  
MAR 06 2003

**WATER RIGHT NO. 47-2446**  
**As Modified by Transfer No. 69155**

In accordance with the approval of Transfer No. 69155, Water Right No. 47-2446 is now described as follows.

**Right Holder:** W T WILLIAMS INC  
C/O TOM WILLIAMS  
2600 N 2941 E  
TWIN FALLS ID 83301

**Priority Date:** April 01, 1946

**Source:** MC MULLEN CREEK

**Tributary:** COTTONWOOD CREEK

| <u>BENEFICIAL USE</u>   | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-------------------------|-------------|-----------|-----------------------|---------------|
| STOCKWATER FROM STORAGE | 01/01       | to 12/31  |                       | 350.0 AF      |
| IRRIGATION FROM STORAGE | 03/15       | to 11/15  |                       | 350.0 AF      |
| DIVERSION TO STORAGE    | 01/01       | to 12/31  | 20.00 CFS             |               |
| IRRIGATION STORAGE      | 01/01       | to 12/31  |                       | 350.0 AF      |
|                         |             |           | 20.00 CFS             | 350.0 AF      |

**LOCATION OF POINT(S) OF DIVERSION:**

|                 |        |        |         |         |                      |
|-----------------|--------|--------|---------|---------|----------------------|
| MC MULLEN CREEK | SWNE   | Sec. 2 | Twp 12S | Rge 17E | TWIN FALLS<br>County |
| (Rediversion)   |        |        |         |         |                      |
| MC MULLEN CREEK | NWSENE | Sec. 2 | Twp 12S | Rge 17E | TWIN FALLS<br>County |
| (Rediversion)   |        |        |         |         |                      |
| MC MULLEN CREEK | NWNESE | Sec. 2 | Twp 12S | Rge 17E | TWIN FALLS<br>County |
| (Injection)     |        |        |         |         |                      |
| MC MULLEN CREEK | NENWSE | Sec. 8 | Twp 12S | Rge 18E | TWIN FALLS<br>County |

MICROFILMED  
MAR 06 2003

**WATER RIGHT NO. 47-2446**  
**As Modified by Transfer No. 69155**

**PLACE OF USE:** STOCKWATER FROM STORAGE

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|             | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 11S 17E 13  |    |    |    |    |    |    |    |    |    |    | X  | X  |    |    |    |    |        |
| 11S 17E 23  | X  |    | X  | X  |    |    |    |    |    |    |    |    | X  | X  |    |    |        |
| 11S 17E 24  |    |    |    |    | X  | X  | X  | X  | X  | X  | X  | X  |    | X  | X  | X  |        |
| 11S 17E 25  | X  | X  | X  | X  |    | X  | X  |    |    |    |    |    | X  | X  | X  | X  |        |
| 11S 18E 30  |    |    |    |    | X  | X  | X  | X  | X  | X  | X  | X  |    |    |    |    |        |
|             |    |    |    |    |    | L1 | L2 |    |    | L3 | L4 |    |    |    |    |    |        |

**PLACE OF USE:** IRRIGATION FROM STORAGE

| Twp Rge Sec | NE   |      |      |      | NW   |      |      |      | SW   |      |      |      | SE   |      |      |      | Totals |
|-------------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
|             | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   |        |
| 11S 17E 13  |      |      |      |      |      |      |      |      |      |      | 7.0  | 11.0 |      |      |      |      | 18.0   |
| 11S 17E 23  | 20.0 |      | 33.0 | 41.0 |      |      |      |      |      |      |      |      | 41.0 | 33.0 |      |      | 168.0  |
| 11S 17E 24  |      |      |      |      | 40.0 | 38.0 | 40.0 | 40.0 | 40.0 | 39.0 | 40.0 | 40.0 |      | 20.0 | 40.0 | 32.0 | 409.0  |
| 11S 17E 25  | 40.0 | 32.0 | 17.0 | 40.0 |      | 8.0  | 20.0 |      |      |      |      |      | 41.0 | 41.0 | 41.0 | 41.0 | 321.0  |
| 11S 18E 30  |      |      |      |      | 10.0 | 24.0 | 25.0 | 13.0 | 21.0 | 25.0 | 19.0 | 6.0  |      |      |      |      | 143.0  |
|             |      |      |      |      |      | L1   | L2   |      |      | L3   | L4   |      |      |      |      |      |        |

Total Acres: 1059

**PLACE OF USE:** IRRIGATION STORAGE

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|             | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 12S 17E 2   |    |    | X  | X  |    |    |    |    |    |    |    |    | X  | X  | X  |    |        |

MICROFILMED  
MAR 06 2003

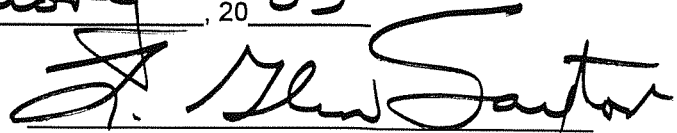
**WATER RIGHT NO. 47-2446**  
**As Modified by Transfer No. 69155**

**CONDITIONS OF APPROVAL**

1. Rights 47-2195, 47-2446, and 47-4476 when combined shall not exceed a total diversion rate of 20.00 cfs.
2. Rights 47-2446 and 47-15254 when combined shall not exceed a total storage of 350 acre-feet.
3. The storage of water under this right is contingent upon the certification of the dam and authorization of storage per the dam safety provisions of the Idaho Code.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 14<sup>th</sup> day of January, 2003



Chief, Water Allocation Bureau

MICROFILMED  
MAR 06 2003

**Right Holder:** W T WILLIAMS INC  
C/O TOM WILLIAMS  
2600 N 2941 E  
TWIN FALLS ID 83301

**Tributary:** SNAKE RIVER

ROCK CREEK                      SWSWNW    Sec. 20    Twp 11S   Rge 18E    TWIN FALLS  
County

| Twp | Rge | Sec | NE   |      |      |      | NW   |      |      |      | SW   |      |      |      | SE   |      |      |       | Totals |
|-----|-----|-----|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|-------|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE    |        |
| 11S | 17E | 13  |      |      |      |      |      |      |      |      |      | 7.0  | 11.0 |      |      |      |      | 18.0  |        |
| 11S | 17E | 23  | 20.0 |      | 33.0 | 41.0 |      |      |      |      |      |      |      | 41.0 | 33.0 |      |      | 168.0 |        |
| 11S | 17E | 24  |      |      |      |      | 40.0 | 38.0 | 40.0 | 40.0 | 40.0 | 39.0 | 40.0 |      | 20.0 | 40.0 | 32.0 | 409.0 |        |
| 11S | 17E | 25  | 40.0 | 32.0 | 17.0 | 40.0 |      | 8.0  | 20.0 |      |      |      |      | 41.0 | 41.0 | 41.0 | 41.0 | 321.0 |        |
| 11S | 18E | 30  |      |      |      |      | 10.0 | 24.0 | 25.0 | 13.0 | 21.0 | 25.0 | 19.0 | 6.0  |      |      |      | 143.0 |        |
|     |     |     |      |      |      |      |      | L 1  | L 2  |      |      | L 3  | L 4  |      |      |      |      |       |        |

MICROFILMED  
MAR 06 2003

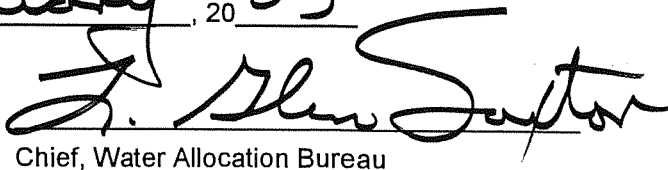
**WATER RIGHT NO. 47-2464**  
**As Modified by Transfer No. 69155**

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 506 acres within the place of use described above in a single irrigation season.
2. Rights 47-2154, 47-2195, 47-4476, and 47-2464 when combined are limited to the irrigation of 733 acres within the place of use described above in a single irrigation season.
3. Rights 47-2154, 47-2195, 47-4476, 47-2464, and 47-2295 when combined are limited to the irrigation of 972 acres within the place of use described above in a single irrigation season.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 14<sup>th</sup> day of January, 2003

  
Chief, Water Allocation Bureau

MICROFILMED  
MAR 06 2003

**Right Holder:** W T WILLIAMS INC  
C/O TOM WILLIAMS  
2600 N 2941 E  
TWIN FALLS ID 83301

**Source:** COTTONWOOD CREEK      **Tributary:** ROCK CREEK

**LOCATION OF POINT(S) OF DIVERSION:**

COTTONWOOD CREEK SWNE Sec. 2 Twp 12S Rge 17E TWIN FALLS County

COTTONWOOD CREEK      NWSENE Sec. 2   Twp 12S   Rge 17E   TWIN FALLS  
County

**PLACE OF USE:** IRRIGATION

| Twp | Rge | Sec | NE   |      |      |      | NW   |      |      |      | SW   |      |      |      | SE   |      |      |       | Totals |
|-----|-----|-----|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|-------|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE    |        |
| 11S | 17E | 13  |      |      |      |      |      |      |      |      |      | 7.0  | 11.0 |      |      |      |      | 18.0  |        |
| 11S | 17E | 23  | 20.0 |      | 33.0 | 41.0 |      |      |      |      |      |      |      | 41.0 | 33.0 |      |      | 168.0 |        |
| 11S | 17E | 24  |      |      |      |      | 40.0 | 38.0 | 40.0 | 40.0 | 40.0 | 39.0 | 40.0 | 40.0 |      | 20.0 | 40.0 | 32.0  | 409.0  |
| 11S | 17E | 25  | 40.0 | 32.0 | 17.0 | 40.0 |      | 8.0  | 20.0 |      |      |      |      | 41.0 | 41.0 | 41.0 | 41.0 | 321.0 |        |
| 11S | 18E | 30  |      |      |      |      | 10.0 | 24.0 | 25.0 | 13.0 | 21.0 | 25.0 | 19.0 | 6.0  |      |      |      | 143.0 |        |
|     |     |     |      |      |      |      |      | L1   | L2   |      |      | L3   | L4   |      |      |      |      |       |        |

Total Acres: 1059

MICROFILMED

MAR 06 2003

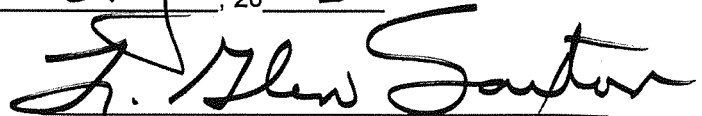
**WATER RIGHT NO. 47-2154**  
**As Modified by Transfer No. 69155**

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 154 acres within the place of use described above in a single irrigation season.
2. Rights 47-2154 and 47-2195 when combined are limited to the irrigation of 450 acres within the place of use described above in a single irrigation season.
3. Rights 47-2154, 47-2195, and 47-4476 when combined are limited to the irrigation of 501 acres within the place of use described above in a single irrigation season.
4. Rights 47-2154, 47-2195, 47-4476, and 47-2464 when combined are limited to the irrigation of 733 acres within the place of use described above in a single irrigation season.
5. Rights 47-2154, 47-2195, 47-4476, 47-2464, and 47-2295 when combined are limited to the irrigation of 972 acres within the place of use described above in a single irrigation season.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
7. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 14<sup>th</sup> day of January, 2003



Chief, Water Allocation Bureau

MICROFILMED

MAR 06 2003

**WATER RIGHT NO. 47-15254**  
**As Modified by Transfer No. 69155**

In accordance with the approval of Transfer No. 69155, Water Right No. 47-15254 is now described as follows.

**Right Holder:** W T WILLIAMS INC  
 C/O TOM WILLIAMS  
 2600 N 2941 E  
 TWIN FALLS ID 83301

**Priority Date:** March 15, 1948

**Source:** COTTONWOOD CREEK      **Tributary:** ROCK CREEK

| <u>BENEFICIAL USE</u>   | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-------------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION FROM STORAGE | 03/15       | to 11/15  |                       | 350.0 AF      |
| IRRIGATION STORAGE      | 01/01       | to 12/31  |                       | 350.0 AF      |
|                         |             |           |                       | 350.0 AF      |

**LOCATION OF POINT(S) OF DIVERSION:**

COTTONWOOD CREEK      SWNE Sec. 2 Twp 12S Rge 17E TWIN FALLS County

COTTONWOOD CREEK      NWSENE Sec. 2 Twp 12S Rge 17E TWIN FALLS County

(Rediversion)

**PLACE OF USE:** IRRIGATION FROM STORAGE

| Twp | Rge | Sec | NE   |      |      |      | NW   |      |      |      | SW   |      |      |      | SE   |      |      |      | Totals |
|-----|-----|-----|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   |        |
| 11S | 17E | 13  |      |      |      |      |      |      |      |      |      |      | 7.0  | 11.0 |      |      |      |      | 18.0   |
| 11S | 17E | 23  | 20.0 |      | 33.0 | 41.0 |      |      |      |      |      |      |      |      | 41.0 | 33.0 |      |      | 168.0  |
| 11S | 17E | 24  |      |      |      |      | 40.0 | 38.0 | 40.0 | 40.0 | 40.0 | 39.0 | 40.0 | 40.0 |      | 20.0 | 40.0 | 32.0 | 409.0  |
| 11S | 17E | 25  | 40.0 | 32.0 | 17.0 | 40.0 |      | 8.0  | 20.0 |      |      |      |      |      | 41.0 | 41.0 | 41.0 | 41.0 | 321.0  |
| 11S | 18E | 30  |      |      |      |      | 10.0 | 24.0 | 25.0 | 13.0 | 21.0 | 25.0 | 19.0 | 6.0  |      |      |      |      | 143.0  |
|     |     |     |      |      |      |      |      | L1   | L2   |      |      |      | L3   | L4   |      |      |      |      |        |

Total Acres: 1059

**PLACE OF USE:** IRRIGATION STORAGE

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 12S | 17E | 2   |    |    | X  | X  |    |    |    |    |    |    |    |    | X  | X  | X  |    |        |

MICROFILM  
 MAR 06 2003

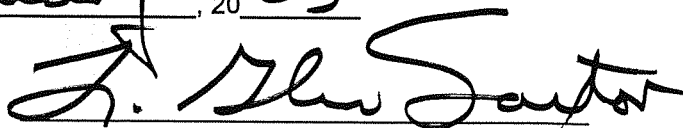
**WATER RIGHT NO. 47-15254**  
**As Modified by Transfer No. 69155**

**CONDITIONS OF APPROVAL**

1. Rights 47-2446 and 47-15254 when combined shall not exceed a total storage of 350 acre-feet.
2. The storage of water under this right is contingent upon the certification of the dam and authorization of storage per the dam safety provisions of the Idaho Code.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 19<sup>th</sup> day of January, 2003



Chief, Water Allocation Bureau

MICROFILMED  
MAR 06 2003

**Right Holder:** W T WILLIAMS INC  
C/O TOM WILLIAMS  
2600 N 2941 E  
TWIN FALLS ID 83301

**Tributary:** COTTONWOOD CREEK

MICROFILMED  
MAR 06 2003

**PLACE OF USE:** STOCKWATER

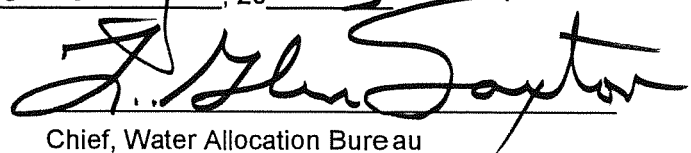
| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|             | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 11S 17E 13  |    |    |    |    |    |    |    |    |    |    | X  | X  |    |    |    |    |        |
| 11S 17E 23  | X  |    | X  | X  |    |    |    |    |    |    |    |    | X  | X  |    |    |        |
| 11S 17E 24  |    |    |    |    | X  | X  | X  | X  | X  | X  | X  | X  |    | X  | X  | X  |        |
| 11S 17E 25  | X  | X  | X  | X  |    | X  | X  |    |    |    |    |    | X  | X  | X  | X  |        |
| 11S 18E 30  |    |    |    |    | X  | X  | X  | X  | X  | X  | X  | X  |    |    |    |    |        |
|             |    |    |    |    |    | L1 | L2 |    |    | L3 | L4 |    |    |    |    |    |        |

**CONDITIONS OF APPROVAL**

1. Rights 47-2195, 47-2446, and 47-4476 when combined shall not exceed a total diversion rate of 20.00 cfs.
2. This right is limited to the irrigation of 51 acres within the place of use described above in a single irrigation season.
3. Rights 47-2154, 47-2195, and 47-4476 when combined are limited to the irrigation of 501 acres within the place of use described above in a single irrigation season.
4. Rights 47-2154, 47-2195, 47-4476, and 47-2464 when combined are limited to the irrigation of 733 acres within the place of use described above in a single irrigation season.
5. Rights 47-2154, 47-2195, 47-4476, 47-2464, and 47-2295 when combined are limited to the irrigation of 972 acres within the place of use described above in a single irrigation season.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
7. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

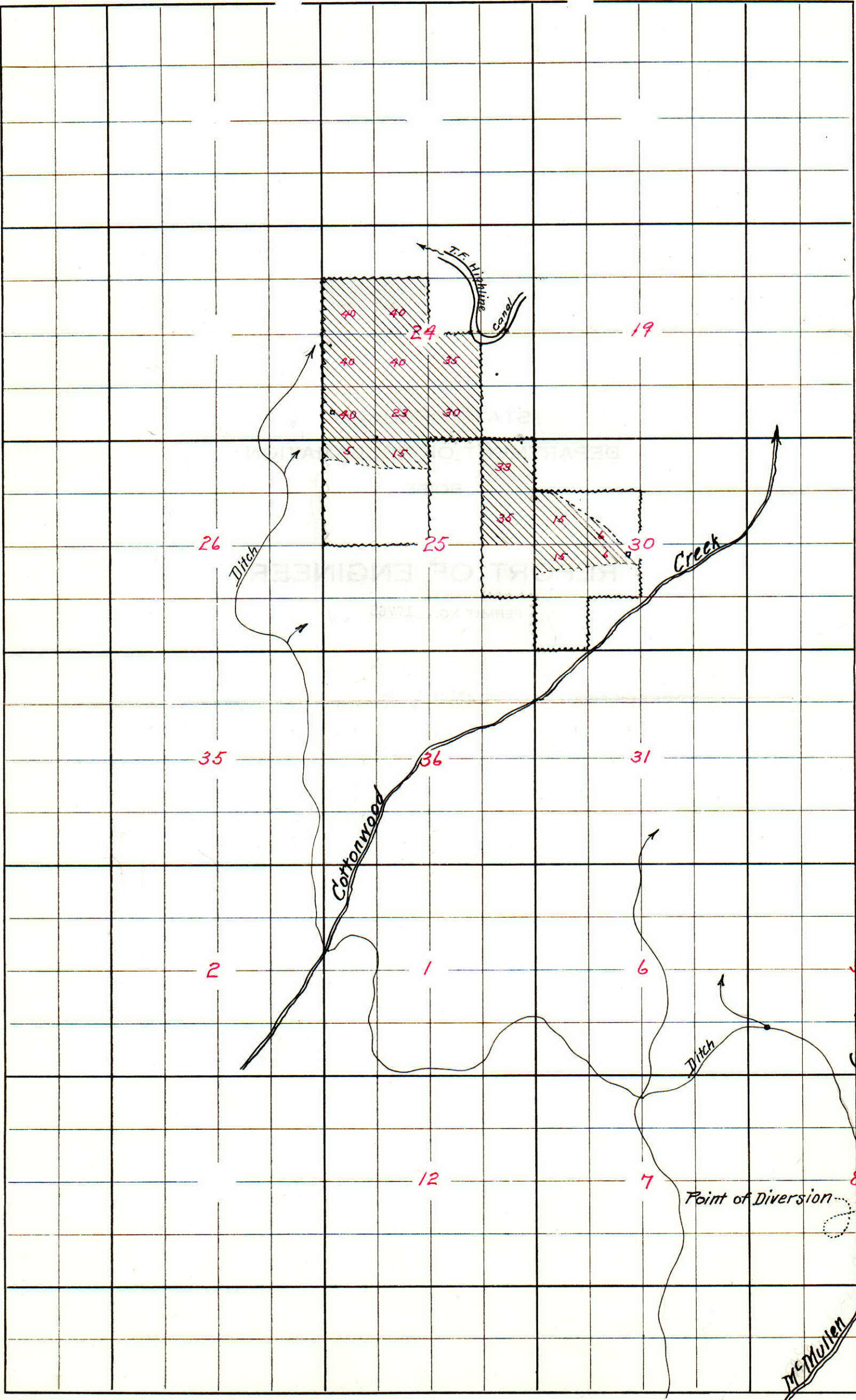
This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 14<sup>th</sup> day of January, 2003

  
Chief, Water Allocation Bureau

MICROFILM

MAR 06 2003



STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE

REPORT OF ENGINEER

PERMIT NO. 17765

REPORT ON PROOF OF Beneficial Use

*B.U. Proof*

*8.36 S.F. on 418 Acres*

*Fee #32 in 16-subdivisions*

*HD 1-12-40*

Notice for Publication  
NOTICE OF PROOF  
APPLICATION OF WATER  
To Beneficial Use

Notice is hereby given that at 10:00 A. M. on the 25th day of March, 1939, 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 ten cubic feet per second of the waters of McMullen Creek in accordance with the terms and conditions of Permit No. 17765 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 W. T. Williams, Route 2, Twin Falls, Idaho.

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

The amount applied to beneficial use is ten second feet.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) SW $\frac{1}{4}$ ; S $\frac{1}{2}$ NW $\frac{1}{4}$ . W $\frac{1}{2}$ SE $\frac{1}{4}$  Sec. 24; NW $\frac{1}{4}$ , E $\frac{1}{2}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 25; all in Twp. 11 South, Range 17 East, B. M. and S $\frac{1}{2}$ NW $\frac{1}{4}$ ; N $\frac{1}{4}$  SW $\frac{1}{4}$ ; SW $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 30, Twp. 11 South, Range 18 East, B. M.

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

The right to take water from such works is based upon Permit No. 17765.

The source of supply from which such water is diverted is McMullen creek, which is a tributary of Snake River.

The date of priority which said user is prepared to establish is March 1, 1933.

JAMES SPOFFORD,  
Commissioner of  
Reclamation.

Pub. News Mar. 1, 8, 15, 22, 1939.

AFFIDAVIT OF PUBLICATION

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

No 146

I, Josephine Groves, being first duly sworn upon oath depose and say that I am Principal clerk of the TWIN FALLS DAILY NEWS, published daily, except Monday, 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 Wednesdays, commencing with the issue dated March 1, 1939, and ending with the issue dated March 22, 1939.

And I do further certify that said newspaper has been published as a daily paper, except Monday, 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 do further certify that pursuant to Chapter 154, Idaho 1933 Session Laws, Wednesday 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, Wednesday is announced as the day on which said legal notices will be published.

Subscribed and sworn to before me this 29<sup>th</sup> day of March, 1939.

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

17765

NAME OF APPLICANT *W. G. Williams*

*Twp. 11 South, Range 17 E.B.M.*

*Twp. 11 South Range 18 E.B.M.*

*c. Source or sources of supply, same as in original permit*

*d. Point of diversion same as in original permit*

*e. Points of ditch or ditches etc., same.*

SEC

SEC

SEC

SEC

SEC

SEC

SEC

SEC

SEC

SEC

SEC

SEC

SEC

SEC

SEC

SEC

SEC

SEC

17765

# AFFIDAVIT OF PUBLICATION

IDAHO EVENING TIMES TWIN FALLS, IDAHO

RECEIVED

MAR 14 1936

DEPARTMENT OF RECLAMATION

## NOTICE FOR PUBLICATION

Notice is hereby given that at 10:00 A. M., on the 10th day of March, 1936, at Twin Falls, County of Twin Falls, State of Idaho, before S. T. Hamilton, Notary Public, proof will be submitted of the completion of works for the diversion of 10 cubic feet per second of the waters of McMullen Creek in accordance with the terms and conditions of a certain permit heretofore issued by the Commissioner of Reclamation of the State of Idaho.

1. The name of the person holding said permit is W. T. Williams.

2. The postoffice address of such person is Route No. 2, Twin Falls, County of Twin Falls, State of Idaho.

3. The number of such Permit is 17765, and the date set for the completion of such work is March 29, 1936.

4. Said water is to be used for irrigation and domestic purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit is 10 cubic feet per second.

6. The amount of lands for which said water is available is 500 acres, particularly described as follows: S $\frac{1}{2}$  NW $\frac{1}{4}$  and SW $\frac{1}{4}$  Sec. 30, T. 11 S., R. 18 E. B. M.; SE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 24, NE $\frac{1}{4}$  and SE $\frac{1}{4}$  Sec. 25, SW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 26, T. 11 S., R. 17 E. B. M.

## Affidavit of Publication

Nº 1433

STATE OF IDAHO,  
County of Twin Falls

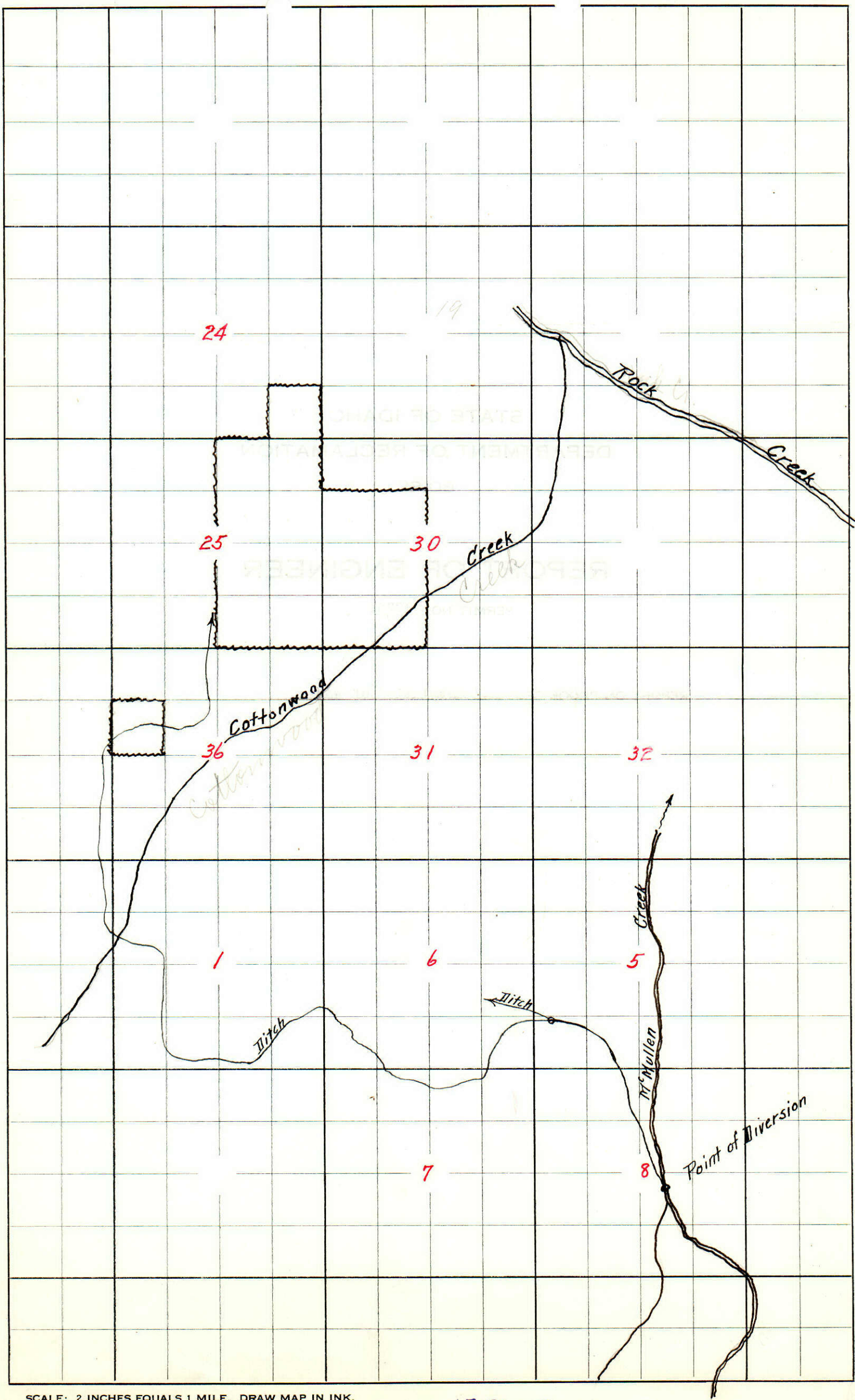
ss.

*Lisa Molony*, being first duly sworn, says that she is the *Principal Clerk* of the Idaho Evening Times, a newspaper printed and published daily except Sunday in Twin Falls county, Idaho, and having a general circulation therein, formerly named the Twin Falls Times; that said newspaper has been continuously and uninterruptedly so published in said county during a period of more than 12 consecutive months prior to the first publication of the annexed notice (or advertisement); that the annexed notice (or advertisement) was published for *4* issues in said newspaper, and the regular edition thereof and not in any supplement; that the date of the first publication of said Notice (or advertisement) was on the *7th* day of *February*, 19*36*, and the date of the last publication was on the *29th* day of *February*, 19*36*.

Subscribed and sworn to before me this *10th* day of *March*, 19*36*

*Richard J. Miller*

Notary Public.  
Residing at Twin Falls, Idaho.



STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE

REPORT OF ENGINEER

PERMIT NO. 17765

REPORT ON PROOF OF Completion of Works

R18 E B M.

524.

30

45

40

40

30

30

25

35

30

25

40

25

30

SEC.

SEC.

SEC.

SEG

SEC

SEC

Permit Map No. 17765

As Approved  
MAR 29 1933

**R. W. FARIS**

Commissioner of Reclamation

SEC.

SEC.

SEC.

SEC.

SEC

SEC

c. 36

SEC.

TUS

T 12 S

SEC.

SEC.

SEC

SEC

SEC

SEC

Ditch

McMullan Creek

Point of Diversion

NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  S 8

T 12 S. R 18 E. B.M.

**SCALE: 2 INCHES EQUAL 1 MILE. DRAW PLAN IN INK**

SYMS-YORK CO., BOISE 105898

# State of Idaho

## License and Certificate of Water Right

Water License No. 17765  
Water District No.

Amount 8.36 second feet  
Priority March 1, 1933

THIS IS TO CERTIFY that **W. T. WILLIAMS**  
of **Twin Falls, Idaho**, made application for a permit to appropriate the  
public waters of the State of Idaho, dated **March 1**, 1933; that Permit No. 17765  
was issued under said application; that Certificate of Completion of works, with a carrying capacity of  
10 second feet, was issued thereunder on **April 10**, 1939, showing that said works  
were completed on the 10th day of **March**, 1936; and that on the 25th  
day of **March**, 1939,

**W. T. WILLIAMS**

of **Twin Falls**, State of **Idaho**, made proof to the satisfaction of the  
Commissioner of Reclamation of Idaho, of the right to use the waters of **McMullen Creek**  
a tributary of **Snake River**, for the purpose of **irrigation and**  
domestic use, under Use Permit No. 17765 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 4013, on the 6th day of **April**, 1940;

The right hereby confirmed dates from **March 1**, 1933;

The Point of Diversion is located  
in the NW 1/4 SE 1/4, Sec. 8, Tp. 12 S., R. 18 E., B. M. **Twin Falls County**

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid,  
is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed **8.36**  
cubic feet per second.

Description of Location of Use

| Page  | Range | Section | Forty-Acre Tract | No. Acres Described<br>in Permit | No. Acres Actually<br>Irrigated |
|-------|-------|---------|------------------|----------------------------------|---------------------------------|
| 11 S. | 17 E. | 24      | SW 1/4 NW 1/4    | 40                               | 40                              |
|       |       |         | SE 1/4 NW 1/4    | 40                               | 40                              |
|       |       |         | NE 1/4 SW 1/4    | 40                               | 40                              |
|       |       |         | NW 1/4 SW 1/4    | 40                               | 40                              |
|       |       |         | SW 1/4 SE 1/4    | 40                               | 40                              |
|       |       |         | SE 1/4 SE 1/4    | 40                               | 40                              |
|       |       |         | NW 1/4 SE 1/4    | 40                               | 35                              |
|       |       |         | SW 1/4 SE 1/4    | 40                               | 30                              |
|       |       | 25      | NE 1/4 NE 1/4    | 40                               | 35                              |
|       |       |         | SE 1/4 NE 1/4    | 40                               | 15                              |
|       |       |         | NE 1/4 NW 1/4    | 40                               | 5                               |
|       |       |         | NW 1/4 NW 1/4    | 40                               | -                               |
|       |       |         | SW 1/4 NW 1/4    | 40                               | -                               |
|       |       |         | SE 1/4 NW 1/4    | 30                               | -                               |
|       |       |         | NE 1/4 SE 1/4    | 15                               | 2                               |
|       |       |         | SW 1/4 SE 1/4    | 60                               | 6                               |
| 11 S. | 18 E. | 30      | SE 1/4 NW 1/4    | 65                               | 6                               |
|       |       |         | NW 1/4 SW 1/4    | 15                               | 2                               |
|       |       |         | SW 1/4 SE 1/4    | 25                               | -                               |
|       |       |         | SE 1/4 SE 1/4    | 25                               | -                               |

Number of Acres Actually Irrigated - 418

Commissioner of Reclamation

(SEAL)

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

Application No. 24890  
Permit No. 17765  
District No.

1. Name of Applicant: **W. T. Williams**

Route 2

Postoffice address: **Twin Falls**

County: **Twin Falls**

State: **Idaho**

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (b) Treasury stock
- (d) Other resources:

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: **10**

cubic feet per second.

3. Source of water supply: **McMullen Creek**

which is a tributary of **Snake River**

4. Location of point of diversion:

feet distant from the

corner of Section , T. , R. , B. M., and is in the **NW $\frac{1}{4}$ SE $\frac{1}{4}$**

of Section **8** , T. **12 S**, R. **18 E.** , B. M., County of **Twin Falls**

5. Water is to be used for: **Irrigation and domestic purposes**

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: \$ **1000.00**

8. Kind of works: **Ditch and headgate**

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 **3** feet; height **3** feet.

11. Ditch: Width at bottom **3** feet; width at water line **5 $\frac{1}{2}$**  feet; depth of water **1 $\frac{1}{2}$**   
feet; dimensions of flume:

Diameter of pipe inches; length of conduit **7** miles.

Average grade per mile **9** feet.

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

13. The time required for the complete application of the water to the proposed use is **three** additional years.

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

15. (a) Is reservoir to be used? Yes , as supplementary, fill in (b) and (c) below. The natural flow of the stream furnishes only one  
(b) Name of Reservoir and number of Storage Permit: See Remarks irrigation.  
(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.

W. T. Williams Applicant.

By Agent.

Date of first receipt at Department of Reclamation: 1:00 P. M. March 1, 1933

Returned to applicant for correction: March 2, 1933

Corrected application received: March 27, 1933

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 17765  
Recorded in Book 64 Page 17765 Approved March 29, 1933  
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 May 28, 1933 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 September 29, 1934  
The whole of said work to be completed on or before March 29, 1936  
Beneficial use of water appropriated in accordance herewith, to be made on or before March 29, 1939

Witness my hand this 29th day of March, 1933.

R. W. FARIS  
Commissioner of Reclamation.

Remarks: Applicant proposes to file application for a reservoir permit at a later date.

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<br>17 E | 30   |     |     |     |     | 25 35 |     |     |     | 40 25 25 30 |     |     |     |     |     |     |     | 180    |
|                                                 |              | 24   |     |     |     |     |       |     |     |     |             |     |     |     | 30  |     |     |     | 30     |
|                                                 |              | 25   | 40  | 40  | 10  | 40  |       |     |     |     |             |     |     |     | 30  | 20  | 40  | 30  | 250    |
|                                                 |              | 36   |     |     |     |     | 40    |     |     |     |             |     |     |     |     |     |     |     | 40     |
| Total Number of acres to be irrigated . . . . . |              |      |     |     |     |     |       |     |     |     |             |     |     |     |     |     |     | 500 |        |

APPLICATION FOR AMENDMENT  
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS  
OF THE STATE OF IDAHO, No. 17765

Comes now W. T. WILLIAMS, and represents to the Commissioner of Reclamation of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 17765, and requests that the list of lands to be irrigated as described in said Permit, be changed to read as follows:

SW¼, S½NW¼, W½SE¼ Sec. 24; and NW¼, E½NE¼, NE¼SE¼ Sec. 25; all in Twp. 11 South, of Range 17 E. B.M. and S½NW¼, N½SW¼, SW¼SW¼ of Sec. 30, Twp. 11 South, of Range 18 E. B.M. Making a total of 740 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Twin Falls, Ida. this 21st day of February, 1939

(Signed) W. T. WILLIAMS.

Date of receipt at Office of Department of Reclamation- Feb. 23, 1939

APPROVAL OF COMMISSIONER OF RECLAMATION

I, JAMES SPOFFORD, Commissioner of Reclamation of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho No. 17765. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

JAMES SPOFFORD  
Commissioner of Reclamation.

Permit No. 17765  
 CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that W. T. WILLIAMS, of Twin Falls, County of Twin Falls, and State of Idaho, the holder of Permit No. 17765, issued upon Application No. 24890, bearing date of priority of March 1, 1933, authorizing the diversion of 10 second feet of the waters of McMullen Creek, a tributary of Snake River, 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 works are adequate for diverting and conveying to the place of intended use Ten (10) second feet of the waters of McMullen Creek; that the point of diversion of said waters is in the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 8, Township 12 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: S $\frac{1}{2}$  NW $\frac{1}{4}$ , SW $\frac{1}{4}$  Section 30, Twp. 11 S., Range 18 E., B.M. SE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 24; East half Sec. 25, SW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 36, Twp. 11 S., Range 17 E., B.M.

Witness my hand this 10th day of April, A.D. 1939

JAMES SPOFFORD  
 Commissioner of Reclamation

Proof of Completion of Works made March 10, 1936  
 Certificate of Completion of Works issued April 10, 1939

LICENSE ISSUED FOR 8.36 SEC. FT.

Page 4013

December 16, 1965

RE: Permit Nos. R-831, 17765,  
R-760, 20966

W. T. Williams  
Rt 2  
Twin Falls, Idaho

Dear Mr. Williams:

Attached are photo copies of Permits No. R-831, 17765, R-760,  
and 20966 as recorded in this office.

You will note that the Certificate and License of Water Right  
has been issued under Permits 17765 and R-760, and Certificate  
of Completion of Works has been issued under Permits R-831  
and 20966.

Very truly yours,

RALPH W. THOMAS  
Deputy State Reclamation Engineer

RWT:mr

Enc. copies of permits 4

17765

April 8, 1940

Re: Permit No. 17765

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

Dear Mr. Hamilton:

We are enclosing herewith License and Certificate of Water Right issued under the above numbered permit, in the name of W. T. Williams, confirming his right to the use of 8.36 second feet of water from McShallen Creek, with date of priority of March 1, 1933, for the irrigation and domestic use on 418 acres in sections 24 and 25, Township 11 S., Range 17 E., B.M., and section 30, Twp. 11 S., Range 18 E., B.M.

The Department's Receipt No. 17358 for the \$32.00 fee paid in connection with this final proof is also enclosed.

Very truly yours,

JAMES SPOFFORD

Commissioner of Reclamation

By

Chief Clerk

JLA  
Encs.

17765

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

April 1, 1940

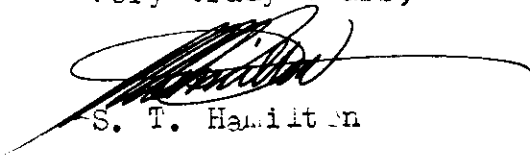
Hon. James Spofford  
Commissioner of Reclamation  
 Boise, Idaho

Dear Mr. Spofford:    Re:    Payment No. 17765

Herewith is check for thirty-two dollars (\$32) in payment  
for license as per your letter of January 13, 1940.

You may send the license either to Mr. Williams or to  
me as you wish.

Very truly yours,



S. T. Hamilton

STH:MEB

Enclosure

17765-

January 13, 1940

Re: Permit No. 17765

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

Dear Mr. Hamilton:

We have on file our Field Engineer's report on examination for beneficial use under the above numbered permit in the name of W. T. Williams.

This report shows that 418 acres are being irrigated in sixteen 40-acre subdivisions.

Therefore, upon receipt of the statutory fee of \$32.00, being at the rate of \$2.00 for each legal subdivision, a license will be issued for 8.36 second feet.

Very truly yours,

JAMES SPOFFORD  
Commissioner of Reclamation

JLA

By

Chief Clerk

17765-

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

## REPORT OF ENGINEER

Permit No. 17765

This proof is for Beneficial use In Water District No. \_\_\_\_\_

1. Name of applicant W. T. Williams, Twin Falls, Idaho

2. Source of water supply: McMullen Creek

3. Location of point of diversion: Is in the NW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 8

T. 12 S. R. 18 E. County of Twin Falls

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

20 ft long, 2 ft high. Head gate 8 ft wide.  
Ditch 3 ft wide x 2 ft deep

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):

S $\frac{1}{2}$  NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , W $\frac{1}{2}$  SE $\frac{1}{4}$  Section 24; NW $\frac{1}{4}$ , E $\frac{1}{2}$  NE $\frac{1}{4}$ , NE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 25;  
all in Twp. 11 South, Range 17 East, B.M. S $\frac{1}{2}$  NW $\frac{1}{4}$ , N $\frac{1}{2}$  SW $\frac{1}{4}$ , SW $\frac{1}{4}$  SE $\frac{1}{4}$  Section 30, 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:

The waters of McMullen<sup>24</sup> Cottonwood Creeks  
are merged and used (as available) over the entire  
ranch as noted on attached sketch.

This examination was made on the 14<sup>th</sup> day of November, 1939.

(Signed)

Edith Holman

Examiner.

W. T. Williams  
C/o S. T. Hamilton,  
Twin Falls, Idaho  
Permit No. 17765

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.
-

April 10, 1939

Re: Permit No. 17765  
W. T. Williams.

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

Dear Sir:-

We enclose herein Certificate of Completion of  
Works issued under the above numbered permit to  
appropriate 10 second feet of the waters of McCallum  
Creek, in the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 8, Township 12 S.,  
Range 18 E., B.M., Twin Falls County, for irrigation  
and domestic purposes.

The Department's Receipt No. 16945 for the \$5.00 fee  
paid in connection with Completion of Works proof is  
also enclosed.

Very truly yours,

JAMES SPOFFORD  
Commissioner of Reclamation

By

Chief Clerk

JLA  
Encs.

17765-

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

March 31, 1939

Hon. James Spofford  
Commissioner of Reclamation  
Boise, Idaho

Dear Commissioner:

Enclosed, please find \$5.00,  
currency, for which please send Certificate of  
Completion of Works, Permit No. 17765, W. T.  
Williams.

Yours very truly,

S. T. HAMILTON

PER

*Roscoe H. Lyards*  
Secretary

Enc. 1

17765-

April 3, 1939

Re: Permit No. 17765  
W. T. Williams

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

Dear Sir:-

This will acknowledge receipt of the deposition of the holder, the depositions of two witnesses, and the affidavit of proof of publication from the newspaper, all in connection with beneficial use proof under the above numbered permit.

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, as 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 arrange to show him over the grounds. After the report is on file in this office you will be further notified as to fees before the issuance of your license.

Very truly yours,

JAMES SPOFFORD  
Commissioner of Reclamation

JLA

By

Chief Clerk.

P. S. We note that the fee of \$5.00 in connection with Completion of Works proof will be sent shortly, upon receipt of which Certificate will be issued.

17765-

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

March 31, 1939

Hon. James Spofford,  
Commissioner of Reclamation  
Boise, Idaho

Re: Permit 17765, W. T. Williams

Dear Commissioner:

Enclosed, please find Deposition of Holder,  
Depositions of two witnesses and Affidavit  
of Publication.

As soon as Mr. Williams comes in the office  
again, his attention will be called to the  
\$5.00 statutory fee due the Department for  
Certificate of Completion of Works, mentioned  
in your letter of February 24, 1939. The  
matter was overlooked at the time the deposi-  
tions were taken.

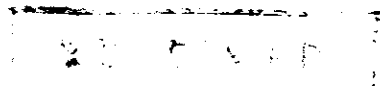
Very truly yours,

S. T. HAMILTON

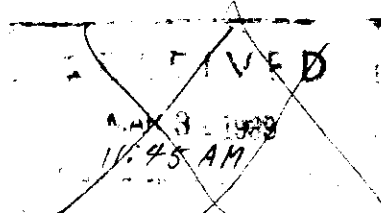
PER

*Wesley Salyards*  
Secretary

Enc. 3



APR 1 1939



17765-

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

Permit No. 17765

## Proof of Application of Water to Beneficial Use

### Deposition of Holder

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

Ans. W. T. Williams, Ranch, Farmer, Twin Falls, Idaho.

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

Ans. Not acting for corporation.

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

Ans. 17765, March 29, 1933, March 1, 1933

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

Ans. McMullen Creek. Diversion in NW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 8 in Township 13 South, of Range 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. Rock and plank dam and ditch from creek to land. 10 second cu-ft per second. Private ditch without name.

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. SW $\frac{1}{4}$  160 a.; S $\frac{1}{2}$ NW $\frac{1}{4}$  80 a.; Sec. 24 and NW $\frac{1}{4}$  160 a.; E $\frac{1}{2}$ NE $\frac{1}{4}$  80 a.; NE $\frac{1}{4}$ SE $\frac{1}{4}$  30 a.; Sec. 25, all in Twp. 11 South of Range 17 E. B. M. and S $\frac{1}{2}$ NW $\frac{1}{4}$  60 a.; N $\frac{1}{2}$ SW $\frac{1}{4}$  65 a.; SW $\frac{1}{4}$ SW $\frac{1}{4}$  25 a. of Sec. 30 Twp. 11 South, Range 18 E. B. M.

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

Ans. Irrigation.

17765

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

Ans. One inch to the 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. Original 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. 1933 to 1939 both years inclusive. 10 cubic second feet. Used continuously when water was in the stream.

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. 1936 to 1939 inclusive rented a minimum of 138 shares to a maximum of 700 shares. Rent all I can get and pay for. The quantity per share is irregular depending on storage supply. This rental is from owners of water rights in Salmon River canal Company's system.

(Sign)

*W. W. Williams*

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 25th day of March, A. D. 1939.

*[Signature]*  
Notary public for Idaho,  
Residence, Twin Falls, Idaho.

My commission expires.....

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

PERMIT NO. 17765

## 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. Forest M. Smith. / Ranch. Farm Labor. Twin Falls, Idaho.  
age 35 yrs.

Ques. 2. Are you acquainted with W. T. Williams, the holder of Permit No. 17765? How long have you known him and where does he reside?

Ans. About 12 years. On the ranch where this water is used.

Ques. 3. Have you read or heard read said Permit No. 17765, 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. McMullen Creek. In NW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 8 Twp 12 South,

Range 18 E.B.M. Rocks and boards with ditch from diversion to the  
land irrigated.

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. 10 cubic feet per second. Never measured the water but believe  
the ditch carries all the appropriation.

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. SW $\frac{1}{4}$  160 a.; S $\frac{1}{2}$ NW $\frac{1}{4}$  80 a.; Sec. 24 and NW $\frac{1}{4}$  160 a.;  
E $\frac{1}{2}$ NE $\frac{1}{4}$  80 a.; NE $\frac{1}{4}$ SE $\frac{1}{4}$  30 a.; Sec. 25, all in Twp. 11 South of Range 17  
E.B.M. and S $\frac{1}{2}$ NW $\frac{1}{4}$  60 a.; N $\frac{1}{2}$ SW $\frac{1}{4}$  65 a.; SW $\frac{1}{4}$ SW $\frac{1}{4}$  25 a. of Sec. 30 Twp. 11  
South, Range 18 E.B.M.

17765

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. Sagebrush ground before being cleared. Dry 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. 1933, to 1939. All the ditch will carry. Water on all the above described. The land is described under the permit is irrigated.

(Signed)

Forest M. Smith

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 March 26, A. D. 1939.

[Signature]  
Residing at Twin Falls, Idaho.

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

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

PERMIT NO. 17765

## 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. Everett Garrison, 36 yrs. Farm. Farmer. Twin Falls, Idaho.

Ques. 2. Are you acquainted with W. T. Williams, the holder of Permit No. 17765? How long have you known him and where does he reside?

Ans. 11 years. On ranch where this water right is used.

Ques. 3. Have you read or heard read said Permit No. 17765, 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. McCullen Creek, Diversion Rocks and boards. Ditch from Diversion to place of use.

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. 10 cubic second feet. Seen all the ditch will carry 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. SW $\frac{1}{4}$  160 a.; S $\frac{1}{2}$ NW $\frac{1}{4}$  80 a.; Sec. 24 and NW $\frac{1}{4}$  160 a.; E $\frac{1}{2}$ NE $\frac{1}{4}$  80 a.; NE $\frac{1}{4}$ SE $\frac{1}{4}$  30 a.; Sec. 25, all in Twp. 11 South of Range 17 E.B.M. and S $\frac{1}{2}$ NW $\frac{1}{4}$  60 a.; N $\frac{1}{2}$ SW $\frac{1}{4}$  65 a.; SW $\frac{1}{4}$ SW $\frac{1}{4}$  25 a. or Sec. 30 Twp. 11 South, Range 18 E.B.M.

17765

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

Ans. Only for irrigation.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Dry land before water was put on it. One inch.

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. 1933 to 1939. All the appropriation when water was in the creek. The land described above has been irrigated.

(Signed) Purcell Garrison

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 March 25 1939.

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

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

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

Boise, Idaho, **March 25, 1939**

**Re: Permit No. 17765**  
**W. T. Williams**

**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. **17765**.....

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 **March 25, 1939**....., 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,

**3 encls.**

**JAMES SPOFFORD**

Commissioner of Reclamation.

17765

February 24, 1939

Re: Permit No. 17765  
W. T. Williams

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

Dear Sir:-

We acknowledge receipt of your letter of February 21st, enclosing Application for Amendment to the above numbered permit; and also enclosing incomplete notice for publication in connection with proof of completion of works, together with Mr. Williams' authorization to have the notice published, but without designating the paper.

We have re-written the notice- in duplicate ( as called for in the letter transmitting the necessary forms) and have set March 25th, 1939, at 10:00 o'clock A.M., as the time for the depositions to be taken before you, as Notary Public.

A copy of the notice has been sent to the Twin Falls News, with instructions to publish it once a week for four consecutive weeks prior to March 25th. About ten days prior to this date depositions, consisting of one for the holder, and one for each of two witnesses, will be sent to you, so that you will have them in ample time for the proof.

On the date designated, Mr. Williams should appear at your office, 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.

We are returning herewith the Application for Amendment, duly approved.

Very truly yours,

JAMES SPOFFORD  
Commissioner of Reclamation  
By

JLA  
Encs.

Chief Clerk

17765

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

February 21, 1939

Hon. James Spofford,  
Commissioner of Reclamation  
Boise, Idaho

Re: Permit # 17765, W. T.  
Williams

Dear Mr. Spofford:

Herewith, please find Notice of Proof Application of Water to beneficial use, W. T. Williams, under permit No. 17765, also authority to have the notice published at expense of Mr. Williams, in a paper to be named by you.

Also, find Application for Amendment to the permit to appropriate public waters of the State of Idaho. Mr. Williams has been using the water on the land described in this application for amendment and expects to continue the use upon this described land. He takes the water from the same stream through the same ditches, does not need any additional construction and no one else uses his ditches and there is no interference whatever with any person or persons. It would seem that this could be made speedily and being made at this time, opportunity will be available for any notice required in this connection.

Mr. Williams might have made this application for amendment before, but seems not to have thought of it until he came into the office this morning in connection with his proof of beneficial use.

Very truly yours,

  
S. T. Hamilton

STH:ts

17765

February 24, 1939

Re: Permit No. 17765  
W. T. Williams

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

Dear Sir:-

In further reference to the above numbered permit-  
we find that Certificate of Completion of Works has  
never been issued- which should be done before final  
proof is made, and a License issued thereunder.

A search of our files discloses the fact that this  
department had some correspondence with you early in  
the year 1937- at which time we advised you that upon  
receipt of the statutory fee of \$5.00 we would issue the  
Certificate of Completion of Works.

Very truly yours,

JAMES SPOFFORD  
Commissioner of Reclamation  
By

JLA

Chief Clerk

17765-

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

Date February 24, 1939

Re: Permit No. 17765

Twin Falls News,  
Twin Falls, Idaho

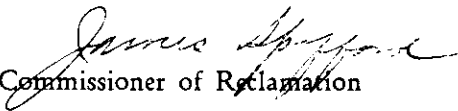
DEAR SIR:S:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to March 25, 1939, the date set for proof, the expense of the publication to be paid by the applicant, W. T. Williams, Route 2, Twin Falls, Idaho

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

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

Very truly yours,

  
Commissioner of Reclamation

17765

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE

January 6, 1939

W. T. Williams,  
Route 2- Twin Falls, Idaho

Dear Sir:

I enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 17765, which should be filled out and returned to this office at least 40 days before the date upon which you wish to make proof. The proof must be submitted before a notary public or other officer authorized by law to administer oaths. The date for proof, as set out in your permit, is March 20, 1939, 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,

JAMES SPOFFORD  
R. W. FARIS  
~~XXXXXXXXXX~~  
Commissioner of Reclamation

17765-

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) February 21, 1939

(P. O.) Route 2, Twin Falls, 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  
..... of ....., published in  
the county in which the works are situated.

W. T. Williams

(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.

17765-

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

Notice is hereby given that at 10:00 A. M. on the 25th day of March, 19 39,  
 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 ten cubic feet per second of the waters of  
McMullen Creek in accordance with the terms and conditions of Permit No. 17765  
 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  
E. T. Williams, Route 2, Twin Falls, Idaho

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

The amount applied to beneficial use is ten second feet

The place where said water is used (if for irrigation, give full and accurate description of the  
 lands irrigated) SW $\frac{1}{4}$ : S $\frac{1}{2}$ SW $\frac{1}{4}$ : W $\frac{1}{2}$ SE $\frac{1}{4}$  Sec. 24; NW $\frac{1}{4}$ : E $\frac{1}{2}$ NE $\frac{1}{4}$ : NE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 25; all in Twp.  
11 South, Range 17 East, B.M. and S $\frac{1}{2}$ NW $\frac{1}{4}$ : N $\frac{1}{2}$ SW $\frac{1}{4}$ : SW $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 30, Twp. 11 South,  
Range 18 East, B.M.

The name of the canal or ditch or other works by which said water is conducted to such place  
 of use is Ditch and headgate

The right to take water from such works is based upon Permit No. 17765

The source of supply from which such water is diverted is McMullen Creek,  
which is a tributary of Snake River

The date of priority which said user is prepared to establish is March 1, 1933

JAMES SPOTFORD

Commissioner of Reclamation.

17765-

XXXXXXXXXX

Barzilla W. Clark

February 17, 1937

Re: Permit No. 17765  
W. T. Williams

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

Dear Mr. Hamilton:

I have gone over your letter of February 11th with Mr. Fred A. Tolman, Field Engineer of this department, who made an examination of the works constructed under the above permit in March of last year. Mr. Tolman made an extensive examination of these works, and while he did not contact Mr. Williams, his report is quite complete. He has made several hundred of these examinations during the past several years and he usually prefers to make them in the absence of any interested party so that the picture he gets will not in any way be distorted by a personal element.

However, since the time of his examination, Mr. Williams has evidently done much work on the ditch in the way of cleaning it out so as to increase its capacity. If we were of a mind to construe this work as a part of the original construction, then certainly the department could not give him credit for it since his proof was made prior to that time. However, we prefer to consider the capacity as having been adequate and that the work done in cleaning out the channel is merely in the way of maintenance.

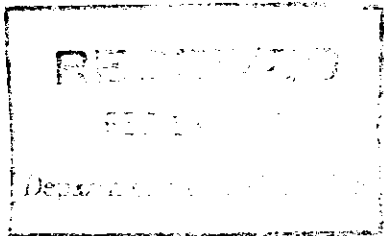
Therefore, upon receipt of the fee mentioned in our letter of recent date, we shall issue a Certificate of Completion of Works for the ten second feet. Perhaps we are stretching the point in so doing, but obviously Mr. Williams has made every attempt in the face of adverse conditions to comply with the terms of the permit, and we feel that he should be given every consideration possible.

Very truly yours

Chief Clerk & Office Engineer

PLE/cj  
cc W. T. Williams

17765



LAW OFFICES OF  
**S. T. HAMILTON**  
TWIN FALLS, IDAHO  
February 11, 1937

Hon. Robert W. Faris,  
Comm'r Reclamation,  
Boise, Idaho.

Re: Permit #17765, W. T. Williams,  
McMullen Creek.

Dear Mr. Faris:-

Mr. Williams came to my office last evening regarding the above matter. I am quite familiar with his situation and in addition went over conditions with him. This man is an untiring worker and under what appeared most adverse conditions has wrought out his ideal of accomplishment; and has done so by working winter and summer lone handed and with such help as he has been able to hire. With this introductory statement, I now make a brief review and ask for him assistance in outlining a plan that will be workable and that will not be out of harmony with the practice of your department.

Some time ago he made proof of completion of works. An examination of the works seems to have been made in March, 1936. Mr. Williams was not advised of the date at which examination would be made and was not at home when the representative of the department was on the ground. A flood had impaired the diversion works leaving it difficult to determine some of the things required to be passed upon in these inspections.

The diversion from McMullen Creek is a joint diversion with McMullen Creek ranch. The ditch has a very heavy fall from this diversion, possibly nine feet to the mile. At least 800 inches was diverted which covers all appropriated waters of the parties. In the fall of 1936 this diversion dam was repaired by materially strengthening same and making the spillway wide as the stream as protection against floods and riprapping the dam. The new dam was set down and made safe from floods. The said flood did some damage to the division gates which are approximately three fourths mile below the joint diversion from the stream. Mr. Williams has the necessary cement on the ground to install new division gate and weirs at the division of the water jointly diverted; and this will be constructed as soon as the weather conditions will permit. The ditch from the stream diversion to the division boxes has been cleaned and repaired by man work and is in good repair and condition. A new headgate has been installed at the point of diversion from the stream.

About April 1936 Mr. Williams put six horses and a road grader on the ditch below the division boxes with one man additional to himself for about two weeks. He has acquired ditch machinery and is equipped to complete his plans for construction in proper and substantial manner. He has acquired 480 acres additional land last fall and will probably ask to have the point of use changed to some of the late acquired land on account of its superior quality. Altogether he has 1046 acres of land and will farm at least 500 acres under his ditch systems. This year he will have 400 acres in cultivation. He will lease some water from the Salmon River Canal Company for late use to finish his crops.

17765-

His application was allowed for 300 inches. He needs and is prepared to use the 500 inches on his lands. I wonder if there is some way the whole situation can be kept open till a complete examination can be made? Was the completion of works as passed upon a limitation of his water right, or is he permitted to make further showing? This application is in the utmost good faith and he would like if you will name a date at which a representative of your office will make such examination as will make you entirely familiar with the whole setup. Then he would like to advise with you as to the manner and order of compliance. No others are in conflict and it should be possible to make some arrangement that will enable the applicant to have reward for the effort. If he will be required to refile on the 200 inches he should know now. He has a storage right and an irrigation right.

Mr. Williams said he had not sent the \$5.00 due for examination. If this is now sent and the case is closed, then he must refile and go through an original filing. Personally I have not attempted to go into the method that can be followed. I have outlined the facts in brief and am passing the buck to you.

Thanking you for this consideration, I am,

Very truly yours,



S. T. Hamilton.

January 22, 1937

Re: Permit No. 17765

W. T. WILLIAMS  
Route #2  
Twin Falls, Idaho

Dear Sir:

Upon receipt of your depositions for proof of completion of works under the above permit, we advised you that it would be necessary for the Field Engineer of this department to make an examination with a view of confirming the capacity of the diversion works you had constructed.

This examination was made under date of March 20, 1936, and we now have the Field Engineer's report covering such examination. He shows that your works have been constructed to convey six second feet of water, and upon receipt of a fee in the amount of \$5.00, we shall issue a Certificate of Completion of Works to you for this quantity.

Very truly yours

Chief Clerk & Office Engineer

PLH/cj

17765-

Post Office Department  
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300

REGISTERED ARTICLE

No. 3655

INSURED PARCEL

No. \_\_\_\_\_

POSTMARK DELIVERING  
OFFICE

AND DATE OF DELIVERY

Return to \_\_\_\_\_  
(NAME OF SENDER)

Street and Number, }  
or Post Office Box, }

**BOISE,**  
**IDAHO.**

## RETURN RECEIPT

*Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.*

*W T Williams*

(Signature or name of addressee)

(Signature of addressee's agent)

*Date of delivery, \_\_\_\_\_, 193*

Form 3811

U. S. GOVERNMENT PRINTING OFFICE

17765

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

AUG 19 1936

, 192.....

Re: Permit No. **17765**To **W. T. WILLIAMS****Route #2, Twin Falls, Idaho**

It appearing to the Commissioner of Reclamation that the terms and conditions of Permit No. **17765**,  
to Appropriate the Public Waters of the State of Idaho, have not been complied with as to

**Proof of Completion of Works**

you are hereby notified in compliance with Sec. 5594, Compiled Statutes of Idaho, that said Permit No. **17765**  
is hereby held for cancellation.

You are hereby required to show cause before the Commissioner of Reclamation on or before forty days  
from date of this notice why said Permit should not be cancelled.

Said Permit No. **17765** claims the use of **10** cubic feet per second of the  
**McMullen Creek**  
waters of....., with point of diversion located  
**NW 1/4, Sec. 8, T. 12 S., R. 18 E., B. M.**, and  
**March 29, 1933**  
was approved.....

In Witness Whereof, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, this

**19th****August****1936**


Commissioner of Reclamation.

By.....

Assistant.

17765-

September 9, 1936

Re: Permit No. 17765  
W. T. Williams

S. T. HAMILTON  
Attorney-at-Law  
Twin Falls, Idaho

Dear Mr. Hamilton:

We just received your letter of September 8th with reference to the notice of cancellation which was mailed to Mr. Williams on August 19th.

What you say regarding proof having been submitted under this permit is correct, and we find, upon going into the matter that the issuance of the certificate of completion of works is being held in abeyance awaiting the Field Engineer's report.

Therefore, will you kindly disregard this notice?

Very truly yours

Chief Clerk & Office Engineer

PLH/oj  
cc W. T. Williams

17765-

LAW OFFICES OF  
**S. T. HAMILTON**  
TWIN FALLS, IDAHO  
September 8, 1936

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

Re: Permit No. 17765

Dear Mr. Faris:

W. T. Williams has just handed me your letter of August 19, 1936, advising him that the terms and conditions of said permit have not been complied with as to proof of completion of works and that the permit is held for cancellation. Mr. Williams was given forty days from August 19 to show cause why the permit should not be cancelled. The proof of completion of works was set by the department to be taken before me on March 10, 1936, and was taken at said date. On March 14 your department wrote me acknowledging receipt of the deposition of the holder and of the two witnesses and of the affidavit of publication from the newspaper in connection with this proof and advising that further action could not be taken until field examination were made by an engineer from the department and advising that after the engineer's report is on file either Mr. Williams or myself would be further notified as to fees due before issuance of his license.

No further information has been received by either Mr. Williams or myself and we are at a loss to understand the notice dated August 19th. Please advise in this matter.

Thanking you I am,

Very truly yours,

STH: es

  
S. T. Hamilton

17765-

*State of Idaho*  
**ENGINEERING DEPARTMENT**  
**BOISE**

**INSTRUCTIONS**  
**PROOF OF COMPLETION OF WORKS**

**Re: permit No. 17765**

**MR. S. T. HAMILTON,  
Notary Public  
Twin Falls, Idaho**

Boise, Idaho, **March 2, 1936**

Dear Sir:

I enclose herewith the following forms to be used in connection with proof of completion of works under Permit No. **17765**

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 the permit holder's rights:

1. On **March 10, 1936**, the date set for proof of completion of works, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to, at **Twin Falls, Idaho, Before Mr. 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,

**R. W. FARIS**

Commissioner of Reclamation

17765-

March 14, 1936

Re: Permit No. 17765  
W. T. Williams

MR. S. T. HAMILTON.  
Twin Falls,  
Idaho

Dear Sir:

This will acknowledge receipt of the deposition of the holder, depositions of two witnesses and the affidavit of publication from the newspaper, all in connection with proof of completion of works under the above permit.

Before further 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 Mr. Williams at the time set for examination so that he may be shown over the grounds. After the engineer's report is on file in this office you and Mr. Williams will be further notified as to fees due before the issuance of his license.

Very truly yours,

R. W. FARIS  
Commissioner of Reclamation

By \_\_\_\_\_  
Chief Clerk & Office Engr.

PLH/rb

17765

LAW OFFICES OF

**S. T. HAMILTON**

TWIN FALLS, IDAHO

March 12, 1936

Hon. Robert W. Faris  
Commissioner of Reclamation  
Boise, Idaho

Dear Mr. Faris:

Re: Permit #17765

Herewith please find proof of completion of works of W. T. Williams, taken March 10, 1936. Proof of publication of notice is also herewith enclosed.

I went out of town after this was taken and have just returned but think the delay will not inconvenience you.

Yours very truly,

Enc. 2  
STH:ES

  
S. T. Hamilton

17765-

PERMIT NO. 17765

# Proof of Completion of Works

## DEPOSITION OF HOLDER

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

Ans. W. T. Williams, Twin Falls, R. 2, Farmer.

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

Ans. Acting as individual.

Ques. 3. State number and date of permit, amount of water you are authorized to divert, source, and point of diversion. #17765, March 29, 1933, 10 cubic feet

Ans. per second, McMullen Creek, NW $\frac{1}{4}$ SE $\frac{1}{4}$  Sec. 8 - 12 - 18.

Ques. 4. State purpose for which water is to be used, and, if for irrigation, state the number of acres and give description of the land you intend to reclaim. Irrigation and

Ans. domestic; 500 A.; SW $\frac{1}{4}$ NW $\frac{1}{4}$  25 A., SE $\frac{1}{4}$ NW $\frac{1}{4}$  35 A., NE $\frac{1}{4}$ SW $\frac{1}{4}$  40 A., NW $\frac{1}{4}$ SW $\frac{1}{4}$  25A, SW $\frac{1}{4}$ SW $\frac{1}{4}$  25A, SE $\frac{1}{4}$ SW $\frac{1}{4}$  30A, Sec. 30-11-18; SE $\frac{1}{4}$ SE $\frac{1}{4}$  30A Sec. 24; NE $\frac{1}{4}$ NE $\frac{1}{4}$  40A, NW $\frac{1}{4}$ NE $\frac{1}{4}$  40A, SW $\frac{1}{4}$ NE $\frac{1}{4}$  10A, SE $\frac{1}{4}$ NE $\frac{1}{4}$  40A, NE $\frac{1}{4}$ SE $\frac{1}{4}$  30A, NW $\frac{1}{4}$ SE $\frac{1}{4}$  20A SW $\frac{1}{4}$ SE $\frac{1}{4}$  40A SE $\frac{1}{4}$ SE $\frac{1}{4}$  30A, Sec. 25; SW $\frac{1}{4}$ NW $\frac{1}{4}$  40A Sec. 36 all in 11-17.

Ques. 5. State whether or not the water has been turned into your works of diversion, and, if so, when and to what extent.

Ans. Yes, was turned in under former permit and used under existing permit, and has been used each year under the present permit; Full appropriation under high water and amount available after high water.

Ques. 6. State whether or not the works of diversion are fully completed, and whether or not they comply in all respects with the terms of the permit.

Ans. Yes.

Ques. 7. If the works of diversion do not comply with all the terms of your permit, state fully those particulars in which there is any variance.

Ans. I believe they comply in all respects.

Ques. 8. Give description of works, state dimensions and capacity of each part, and give cost of same.

Ans. Head-gate 4 ft. wide, 3 ft. high, diversion dam, ditch total of about 9 miles not including small laterals. Main ditch 3 feet bottom, 5 $\frac{1}{2}$  feet water line, 1 $\frac{1}{2}$  feet depth of water.

(Sign here.)

*W. T. Williams*

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 10th day of March A. D. 1936.

My Commission expires

*July 14, 1942*

Notary Public.

17765-

Permit No. 17765

**Proof of Completion of Works****DEPOSITION OF WITNESS**

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

Ans. J. W. Sutton, on homestead near Mr. Williams, Farmer, Twin Falls, Idaho.

Ques. 2. Are you acquainted with W. T. Williams, the holder of Permit No. 17765, authorizing the diversion of ten second-feet of the waters of McMullen Creek, at for irrigation purposes? How long have you known him, and where does he reside?

Ans. Seven years, on the farm on this land.

Ques. 3. Have you read or heard read said Permit No. 17765, and are you familiar with its terms and conditions?

Ans. Yes. Yes.

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation. Yes.

SW $\frac{1}{4}$ NW $\frac{1}{4}$  25 A, SE $\frac{1}{4}$ NW $\frac{1}{4}$  35A, NE $\frac{1}{4}$ SW $\frac{1}{4}$  40A, NW $\frac{1}{4}$ SW $\frac{1}{4}$  25A, SW $\frac{1}{4}$ SW $\frac{1}{4}$  25A, SE $\frac{1}{4}$ SW $\frac{1}{4}$  30A, Sec. 30-11-18; SE $\frac{1}{4}$ SE $\frac{1}{4}$  30A, Sec. 24; NE $\frac{1}{4}$ NE $\frac{1}{4}$  40A, NW $\frac{1}{4}$ NE $\frac{1}{4}$  40A, SW $\frac{1}{4}$ NE $\frac{1}{4}$  10A, SE $\frac{1}{4}$ NE $\frac{1}{4}$  40A, NE $\frac{1}{4}$ SE $\frac{1}{4}$  30A, NW $\frac{1}{4}$ SE $\frac{1}{4}$  20A, SW $\frac{1}{4}$ SE $\frac{1}{4}$  40A, SE $\frac{1}{4}$ SE $\frac{1}{4}$  30A, Sec. 25; SW $\frac{1}{4}$ NW $\frac{1}{4}$  40A Sec. 36 all in 11-17. Desert in character. I judge one inch per acre.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. I think so--yes.

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. The dam, head-gate and ditch, I think there is plenty of capacity to carry 500 inches of water.

(Sign here.)

*J. W. Sutton*

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, at my office in Twin Falls County of Twin Falls, State of Idaho, on this 10th day of March, A. D. 1936.

*[Signature]*

17765

The Depositions of two Witnesses, in this form, taken separately, required in each case.

Permit No. 17765

**Proof of Completion of Works****DEPOSITION OF WITNESS**

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

Ans. Joseph A. Langa, Twin Falls, Idaho, Farmer, Post Office  
Twin Falls, IdahoQues. 2. Are you acquainted with W. T. Williams, the  
holder of Permit No. 17765, authorizing the diversion of ten second-feet of the  
waters of McMullen Creek, at  
for irrigation purposes? How long have you known him, and where does he reside?

Ans. Over two years. Resides on the land irrigated.

Ques. 3. Have you read or heard read said Permit No. 17765, and are you familiar  
with its terms and conditions?

Ans. Yes. I am familiar with the terms and conditions.

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to  
be irrigated under said permit? If so, describe same, state its character, and give your  
estimate of the amount of water required for its profitable cultivation.Ans. Yes. It is farming land if you can get water on it. Approximate-  
ly one inch per acre. SW $\frac{1}{4}$ NW $\frac{1}{4}$  25A, SE $\frac{1}{4}$ NW $\frac{1}{4}$  35A, NE $\frac{1}{4}$ SW $\frac{1}{4}$  40A, NW $\frac{1}{4}$ SW $\frac{1}{4}$  25A,  
SW $\frac{1}{4}$ SW $\frac{1}{4}$  25 A, SE $\frac{1}{4}$ SW $\frac{1}{4}$  30A, Sec. 30-11-18; SE $\frac{1}{4}$ SE $\frac{1}{4}$   
30A, Sec. 24; NE $\frac{1}{4}$ NE $\frac{1}{4}$  40A, NW $\frac{1}{4}$ NE $\frac{1}{4}$  40A, SW $\frac{1}{4}$ NE $\frac{1}{4}$  10A, SE $\frac{1}{4}$ NE $\frac{1}{4}$  40A, NE $\frac{1}{4}$ SE $\frac{1}{4}$  30A,  
NW $\frac{1}{4}$ SE $\frac{1}{4}$  30A, SW $\frac{1}{4}$ SE $\frac{1}{4}$  40A, SE $\frac{1}{4}$ SE $\frac{1}{4}$  30A, Sec. 25; SW $\frac{1}{4}$ NW $\frac{1}{4}$  40A Sec. 36 all in  
11-17.Ques. 5. Are the works of diversion fully completed and of sufficient capacity to con-  
vey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. Yes, capacity sufficient.

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of  
their capacity.Ans. Dam to run the water into the ditch under the head-gate in a  
sufficiency to carry 500 inches.

(Sign here.)

*Joseph A. Langa*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, at my office in Twin Falls  
County of Twin Falls, State of Idaho, on this 10th  
day of March, A. D. 1933.*[Signature]*  
Notary Public for the State of Idaho

17765-

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

Date.....~~February 5, 1936~~.....

Re: Permit No. 17765

EDITOR, IDAHO EVENING TIMES  
Twin Falls,  
Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to ~~March 10, 1936~~....., the date set for proof, the expense of the publication to be paid by the applicant,.....

~~A. T. MILLER, Route # 2, Twin Falls, Idaho~~  
to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

R. W. FARRIS

Commissioner of Reclamation

17765-

FEB

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date)

February 1, 1936

(P. O.)

Route #4, Twin Falls, 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

*Idaho Evening Times* of *Twin Falls*, published in  
the county in which the works are situated.

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

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

Engineer.

17765

# Notice for Publication

Notice is hereby given that at 10:00 A. M., on the 10th day of March, 1936, at Twin Falls, County of Twin Falls, State of Idaho, before S. T. HAMILTON, Notary Public proof will be submitted of the completion of works for the diversion of 10 cubic feet per second of the waters of McMullen Creek in accordance with the terms and conditions of a certain permit heretofore issued by the Commissioner of Reclamation of the State of Idaho.

1. The name of the person ~~to whom~~ holding said permit is W. T. WILLIAMS

2. The postoffice address of such person ~~to whom~~ is Route 1 2,  
Twin Falls, County of Twin Falls, State of Idaho.

3. The number of such Permit is 17765, and the date set for the completion of such work is March 29, 1936.

4. Said water is to be used for irrigation and domestic purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 10 cubic feet per second.

6. The amount of lands for which said water is available is 500 acres, particularly described as follows:  
S $\frac{1}{2}$  NW $\frac{1}{4}$  & SW $\frac{1}{4}$  Sec. 30, T. 11 S., R. 18 E., B. M. SE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 24, NE $\frac{1}{4}$  & SE $\frac{1}{4}$ , Sec. 25, SW $\frac{1}{4}$  NW $\frac{1}{4}$ , Sec. 36, T. 11 S., R. 17 E., B. M.

Commissioner of Reclamation.

17765

February 5, 1936

Re: Permit No. 17765  
W. T. Williams

MR. S. T. HAMILTON,  
Attorney at Law,  
Twin Falls, Idaho

Dear Sir:

This will acknowledge receipt of Mr. Williams' notice, in duplicate, for publication and also his authorization to have the notice published in the Idaho Evening Times of Twin Falls, Idaho, all in connection with proof of completion of works under Permit No. 17765.

As you know, proof of completion of works will be due, under this permit, on or before March 29, 1936, which is in conformance with the notice we mailed to Mr. Williams some time ago. It is true that the department requests all permittees to return such papers 60 days in advance of the date when proof is due but this is merely done as a matter of policy to insure their return in ample time for the publication. As a matter of fact, it requires less than a month for the publication, which this office has always interpreted as being once a week for four consecutive weeks, or in other words, four issues, rather than five, as you suggested.

You failed to designate the date for proof and we have taken the liberty of setting the same for 10:00 A. M. on the 10th day of March.

A copy of the notice is being mailed to the newspaper today with proper instructions and the necessary depositions will be mailed to you about March 1st, so that you will have them in ample time.

The only fees which Mr. Williams will be required to pay will be the cost of the publication, which should be paid direct to the newspaper, and whatever charge you make for your services. Later on, after a field examination has been made by an engineer from this office, Mr. Williams will be required to pay \$2.00 for each legal subdivision, or portion thereof, which is being irrigated. However, it will be a number of months before this fee is due since a number of examinations will come ahead of this one.

Very truly yours,

R. W. FARIS  
Commissioner of Reclamation

PLH/rg

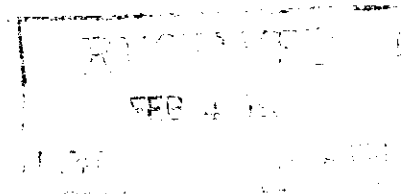
By \_\_\_\_\_  
Chief Clerk & Office Engr.

17765

LAW OFFICES OF

**S. T. HAMILTON**  
TWIN FALLS, IDAHO

February 3, 1936



Hon. Robert W. Faris  
Commissioner of Reclamation  
Boise, Idaho

Dear Mr. Faris:

Herewith please find Notice for Publication in duplicate to be published a period of four weeks prior to date of proof, which will, I assume, require five publications.

Mr. Williams brought the papers into the office Saturday evening and it seems that he is a little late to make proof on March 29, 1936 as sixty days will not come within this time.

If you can estimate the cost in fees to be paid by Mr. Williams at the time the proof is made I wish you would do so. He asked me what the total amount of money he would be required to raise might be and I had not time to look the matter up and have not done so now, assuming that you would get this readily and I will be able then to notify him of the requirement. I am not able to tell the extent of the examination which you will require on the premises.

The Idaho Evening Times publishes its weekly paper on Thursdays and if you can reach the paper with this notice before Thursday of this week please do so.

Very truly yours,

STH:ES

  
S. T. Hamilton

17765-

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS  
PROOF OF COMPLETION OF WORKS

W. T. WILLIAMS  
R # 2  
Twin Falls, Idaho

Boise, Idaho

January 8, 1936

DEAR SIR:

I enclose herewith blank form upon which to give notice that you are prepared and desire to submit proof of completion of works under your permit No. 17765.

This form should be filled out and mailed to the Department of Reclamation, at least 60 days before the date upon which proof is to be submitted, which proof MUST be on or before March 29, 1936. Upon receipt of the blank properly filled out, notice for publication will be sent to the paper direct from this office, which notice must be published a period of four weeks prior to the date of proof.

The proof may be submitted at any place convenient to you and two witnesses, where there is a notary public or other officer authorized to administer oaths.

The certificate that shall be issued under this proof does not give you a perpetual right to the use of the water for which application is made, as it only confirms the completion of the 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.

Very truly yours,

R. W. PARIS

Commissioner of Reclamation.

17765

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

## REPORT OF ENGINEER

Permit No. 17765

This proof is for Completion of Works

In Water District No. \_\_\_\_\_

1. Name of applicant W. T. Williams,
2. Source of water supply: McMullen Creek
3. Location of point of diversion: Is in the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 8,  
T. 12 S., R. 18 E. B.M. County of Twin Falls
4. Describe works as they exist, giving dimensions and capacities of same: Diversion dam of plank, 20 ft long x 2 ft high. Head gate 8 ft wide over all with ditch opening 3 $\frac{1}{2}$  ft wide. Overflow in dam 5' wide x 1' deep. Ditch 3 ft wide x 2 ft deep, for first mile, thence 2 $\frac{1}{2}$  wide x 15 deep to lands described below. Capacity approximately 10. Sec 4 ft.
5. Water is used for: Irrigation and domestic purposes.
6. State whether or not water has been turned into works of diversion: yes to some extent
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):  
SW $\frac{1}{4}$  NW $\frac{1}{4}$ , SE $\frac{1}{4}$  NW $\frac{1}{4}$ , NE $\frac{1}{4}$  SW $\frac{1}{4}$ , NW $\frac{1}{4}$  SW $\frac{1}{4}$ , SW $\frac{1}{4}$  SW $\frac{1}{4}$ , SE $\frac{1}{4}$  SW $\frac{1}{4}$ , Sec. 30,  
Twp. 11 S., R. 18 E. B.M. SE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 24, NE $\frac{1}{4}$  NE $\frac{1}{4}$ , NW $\frac{1}{4}$  NE $\frac{1}{4}$ ,  
SW $\frac{1}{4}$  NE $\frac{1}{4}$ , SE $\frac{1}{4}$  NE $\frac{1}{4}$ , NE $\frac{1}{4}$  SE $\frac{1}{4}$ , NW $\frac{1}{4}$  SE $\frac{1}{4}$ , SW $\frac{1}{4}$  SE $\frac{1}{4}$  and SE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 25,  
SW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 36, Twp. 11 S., R. 17 E. B. M.

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

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

Remarks: Diversion from creek is into a community ditch for the first mile below head gate. Present stream flow about 6. Sec 4 ft.

This examination was made on the 20<sup>th</sup> day of March, 1936

(Signed)

Fred L. Johnson  
Examiner.

Permit No. 17765

Examination for

County

---

---

### 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**

Permit No. 17765

Boise, Idaho,  
March 20, 1933

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.

**W. T. Williams**  
Route 2  
Twin Falls, Idaho

**R. F. FARIS**  
Commissioner of Reclamation.

17765-

17765

March 2, 1933

RE: APPLICATION FOR PERMIT NO. 24890

MR. W. T. WILLIAMS  
Route 2  
Twin Falls, Idaho

Dear Sir:

Under date of March 1, 1933, your application for permit to appropriate 11 cubic feet per second of the waters of McMillan Creek in Twin Falls County, Idaho, was received in this department.

Your land list shows a total of 550 acres, which would entitle you to the amount of water that you claimed, since you are allowed one miner's inch per acre for each acre of land you propose to irrigate.

However, any application which claims more than 10 cubic feet per second must be accompanied by a tracing and a blueprint showing an accurate survey of the proposed works and the lands to be irrigated. In order to avoid the added expense of such a survey, we have reduced the quantity of water claimed under this application to 10 cubic feet per second.

We are returning your application with the request that you answer paragraphs 11 and 15.

We are also enclosing twenty-five cents in postage stamps, which will serve as a refund on your filing fee.

Very truly yours,

R. W. FARIS  
Commissioner of Reclamation

BY \_\_\_\_\_  
Chief Clerk & Office Engineer

WTH:MC  
Encls.

17765