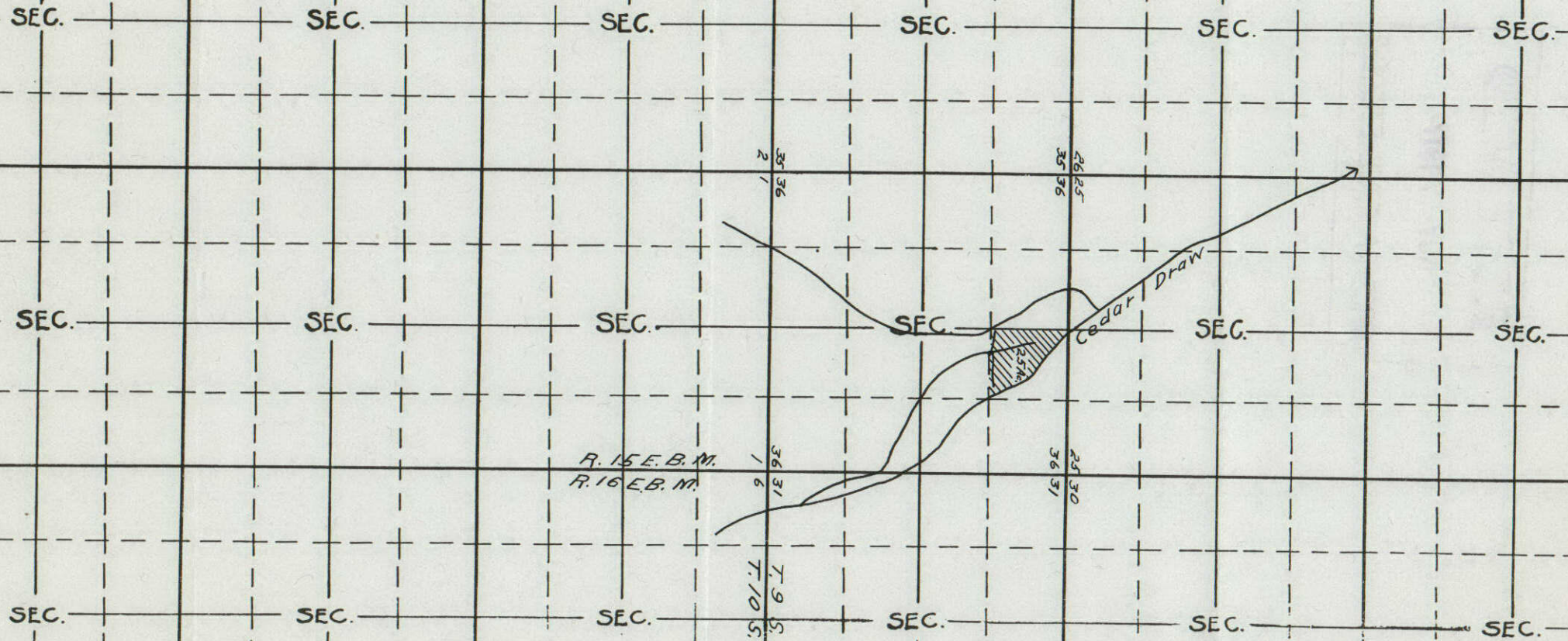


Name of Applicant - John H. Harty - Permit 11429

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



11429

RECEIVED

NOV 7 1917

OFFICE OF STATE ENGINEER



AFFIDAVIT OF PUBLICATION

NOTICE FOR PUBLICATION

Filer Jour

Notice of Proof of Application of Water to Beneficial Use.

Notice is hereby given that at 10 a. m. on the 23d day of October, 1915, at Twin Falls, County of Twin Falls, State of Idaho, before C. C. Siggins, U. S. Commissioner, proof will be submitted of the application to beneficial use of one cubic foot per second of the waters of Cedar Creek, in accordance with the terms and conditions of Permit No. 11429 heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said per permit is John Hlavati, Filer, Idaho.

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

3. The amount applied to beneficial use is One Cubit foot per second.

4. The place where said water is used is NE1-4NW1-4, NW1-4NE4-4 Section 36, in Township 9 South, of Range 15, East of the Boise Meridian.

5. The right to take the water from such works is based upon Permit No. 11429.

6. The source of supply from which such water is diverted is Cedar Draw (Creek.)

7. The date or the priority which said user is prepared to establish is July 23, 1915.

J. H. SMITH,
State Engineer.

1st pub Sep 23

Affidavit of Publication

STATE OF IDAHO

County of Twin Falls

ss.

J. W. Tanner, being first duly sworn, says that he is the Publisher of the Filer Journal, a newspaper of general circulation, published weekly in Filer, in said County and State; that the annexed notice was published 4 successive weeks in said newspaper; that the date of the first publication was on the 25d day of September 1915, and the date of the last publication was on the 14th day of October 1915.

J. W. Tanner
16 Oct
Subscribed and sworn to before me this 16 day of Oct 1915.

Ros Allen
Notary Public.

11429

Affidavit of Publication

County of Twin Falls
STATE OF IDAHO



Deputy Engineer

1915

1915

the last published

publication on the

the last published

the last published

the last published

the last published

day of

which was before me the

to year.

1915

to year

in said newspaper; that the date the last

publication was published was

of general circulation, published weekly in

that he is the

John

Name of Applicant

John H. Clorati

Twp 9 South R 15 EBM Twp 9 South R 16 EBM

SEC.

SEC.

SEC.
24

SEC.
19

SEC.

SEC.

11429

SEC.

SEC.

SEC.
25

SEC.
30

SEC.

SEC.

SEC.

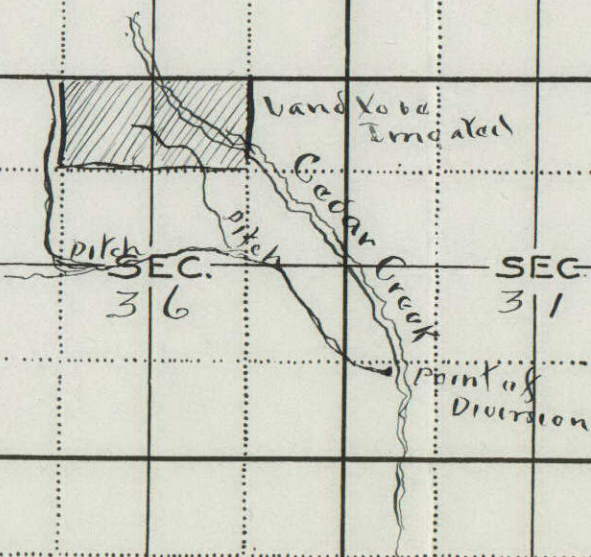
SEC.

SEC.
36

SEC.
31

SEC.

SEC.



Permit Map No. 11429

As Approved

JUL 30 1915

BY
J. H. SMITH
STATE ENGINEER

STATE OF ALABAMA - DIVISION OF HIGHWAYS - PERMIT MAP NO. 11429

State of Alabama

County: Twin Falls.
Stream: Cedar Creek.
Amount: $\frac{1}{2}$ of 1 sec. ft.
Use: Irrigation.
Priority: 6-23-15.
District No. 46

STATE OF IDAHO

Water License No. 11429
Water District No. 46.

WHEREAS, On the 23d day of June, A. D. 1915, John Hlavaty,

of Filer, County of Twin Falls, State of Idaho, duly made application (No. 16566) to me for a permit to use one (1) cubic foot per second of the waters of Cedar Creek, in Water District No. 46, County of Twin Falls, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 30th day of July, A. D. 1915, Permit No. 11429 was issued to said applicant for the diversion of said water and providing for the completion of the works of diversion therein described on or before the 30th day of January, A. D. 1916, and for the application to beneficial use of said water on or before the 30th day of January, A. D. 1917, and,

WHEREAS, On the 22d day of May, A. D. 1916, John Hlavaty

the holder of said permit, duly made proof of the completion of adequate works for the diversion of one (1) cubic foot per second of said waters, as evidenced by my Certificate No. 11429 dated June 2, 1916, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use one (1) cubic foot per second of said water, with date of priority of June 23, 1915, and

WHEREAS, On the 23d day of October, A. D. 1915, John Hlavaty

the holder of said permit, duly made proof of the application to beneficial use of $\frac{1}{2}$ of 1 cubic foot per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to

John Hlavaty

of Filer, County of Twin Falls, State of Idaho, the holder and owner of said Permit No. 11429, a perpetual right, dating from June 23, 1915 to the use of $\frac{1}{2}$ of 1 cubic foot per second of the waters of Cedar Creek,

in the County of Twin Falls and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31, T. 9 S., R. 16 E., B. M.,

and conducted to and upon 25 acres of land in NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 36, T. 9 S., R. 15 E., B. M.,

for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho, applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS My hand and the seal of my office at Boise, Idaho, this 29th day of December, A. D. nineteen hundred and seventeen.

J. H. SMITH,

(Seal)

State Engineer.

47 2098

47-2098

No. 16566.

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: John Hlavaty.

Postoffice address: Filer

County: Twin Falls State: Idaho

- I. If applicant is a corporation, give
- (a) Date and place of incorporation:
 - (b) The amount of capital stock:
 - (c) The amount paid in:
 - (d) Names and addresses of directors:

- II. The financial resources of the applicant are: (a) Cash on hand:
- (b) Treasury stock:
 - (c) Bonds to be issued:
 - (d) Other resources:

2. The quantity of water claimed is one cubic feet per second

3. Source of water supply: Cedar Creek,

4. Location of point of diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 31, T. 9 S., R. 16 E.B.M.

County of Twin Falls,

5. To be used for: Domestic and Irrigation

- I. Irrigation and domestic use: (a) Amount of land to be irrigated: 80 acres.
- (b) In the following legal subdivisions: NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 36, T. 9 S. R. 15 E.B.M.

II. Mining, milling, power, manufacturing, transportation or other purposes:

(a) At what point:

(b) Amount of power to be generated:

H. P. under ft. head

(c) Is water to be returned to any stream?
return:

(d) If so, name stream and locate point of

6. Estimated cost of works: \$100.00

7. Description of works for diversion:

I. Kind of works: Ditch, dam and headgate

II. Dimensions of works:

(a) Height of dam 1 feet, length of dam at top 20 feet,

length of dam at bottom 20 feet. Material used in construction: Rock

(b) Capacity of reservoir acre feet. (c) Size of headgate, width 2 feet,

Height 1/2 feet. (d) Conduit ditch width at bottom 2 feet,

width at water line 2 feet, depth of water 3/4 feet; diameter of pipe

inches; average grade per mile is 10 feet. Length of conduit is 1 1/2 miles,
and it crosses the following quarter sections: SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 31, T. 9-16 - SE $\frac{1}{4}$ Sec. 36,
SW $\frac{1}{4}$ Sec. 36, and NW $\frac{1}{4}$, NE $\frac{1}{4}$ Sec. 36, T. 9 R. 15 E.B.M.

8. The time required for the completion of the construction of such work is 2 months years.

9. Time required for the complete application of the water to the proposed use is 1 additional years.

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

John Hlavaty.

Applicant.

By

Agent.

Date of first receipt at office of State Engineer 9:00 A.M. June 23, 1915.

Returned to applicant for correction June 30, 1915

Corrected application received July 8, 1915.

APPROVAL OF STATE ENGINEER

The number of this permit is 11429

Recorded in Book 39 Page 11429 Approved July 30, 1915.

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 September 28th, 1915 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 October 30, 1915.

The whole of said work to be completed on or before January 30, 1916.

Beneficial use of water appropriated in accordance herewith, to be made on or before January 30, 1917.

Witness my hand this 30th day of July, 1915.

J.H. Smith.

State Engineer.

Remarks:

Proof of Completion of Works made May 22nd, 1916.

Certificate of Completion issued June 2nd, 1916.

PERMIT NO. 11429.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:-

This is to certify that John Hlavaty of Buhl, County of Twin Falls, State of Idaho, the holder of permit No. 11429, issued upon application 16566, bearing date of priority of June 23, 1915, authorizing the diversion of one (1) second feet of the waters of Cedar Creek, County of Twin Falls, State of Idaho for domestic and irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of 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 one (1) second foot of the waters of Cedar Creek; that the point of diversion of said waters is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 31, T. 9 S., R. 16 E.B.M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 36, Township 9 S., R15, E.B.M., containing 80 acres.

Witness my hand this 2nd day of June A.D. 1916.

J.H. SMITH, State Engineer of the State

License issued for 1/2 of 1 second foot

Page 2218

STATE OF IDAHO

Water License No. 11429.

Water District No. 46.

WHEREAS, on the 23d day of June A. D. 1915
John Hlavaty,

of Filer, County of Twin Falls, State of Idaho
duly made application (No. 16566) to me for a permit to use one (1) cubic foot per
second of the waters of Cedar Creek, in Water District No. 46,

County of Twin Falls, State of Idaho, for irrigation and domestic
purposes, and

WHEREAS, On the 30th day of July A. D. 1915
Permit No. 11429 was issued to said applicant for the diversion of said water, and providing for the
completion of the works of diversion therein described on or before the 30th day of
January A. D. 1916 and for the application to beneficial use of said water on
or before the 30th day of January A. D. 1917,
and,

WHEREAS, On the 22d day of May A. D. 1916
John Hlavaty

the holder of said permit duly made proof of the completion of adequate works for the diversion of
one (1) cubic foot per second of said waters, as evidenced by
my Certificate No. 11429 dated June 2, 1916 confirming the completion of
works of sufficient capacity for diverting and conveying to the place of intended use one (1) cubic
foot per second of said water.

with date of priority of June 23, 1915 and,

WHEREAS, On the 23d day of October A. D. 1915
John Hlavaty

the holder of said permit duly made proof of the application to beneficial use of one (1) cubic
foot per second of said water:

11429

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to John Hlavaty of Filer County of Twin Falls State of Idaho the holder and owner of said Permit No. 11429 a perpetual right, dating from June 23, 1915 to the use of $\frac{1}{2}$ of 1 cubic foot per second of the waters of Cedar Creek,

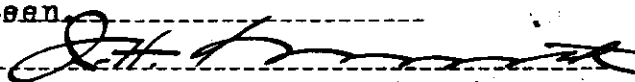
in the County of Twin Falls and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31, T. 9 S., R. 16 E., B. M.,

and conducted to and upon 25 acres of land in NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 36, T. 9 S., R. 16 E., B. M.,

for the purpose of irrigation and domestic use,

subject, however, to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water,

WITNESS, My hand and the seal of my office at Boise, Idaho, this
29th day of December A. D. Nineteen
hundred and seventeen.


State Engineer.

11429

Water District No. 46.

STATE OF IDAHO

Water License No. 11429.

To John Hlavaty,

Filer, Idaho

Source of Supply Cedar Creek.

Twin Falls County

Am't $\frac{1}{2}$ of 1 Sec. Feet

Point of Diversion SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 31,

T. 9 S., R. 16 E., B. M.

Place of Use NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 36,

T. 9 S., R. 15 E., B. M.

Purpose Irrigation.

Date of Priority June 23, 1915.

Recorded December 29, 1917.

in Book 5 of W. L. Page 2218

CAPITAL NEWS PUBLISHING CO., BOISE

REPORT OF ENGINEER

1. State name of applicant and number of permit: John Hlavaty - Permit 11429
 2. State source of water supply: Cedar Creek
 3. Location of point of diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 31, T. 9S., R16E. B.M.
 4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: -----
 5. Describe works as they exist, giving dimensions and capacities of same:

A pile of loose rock for a diversion dam.

Wooden headgate.

Earth ditch 2 ft. by 1.5 ft. with a very heavy grade.

Ditch somewhat out of repair at this date due to overflow water

from Cedar draw exceeding the capacity of ditch. Otherwise a good

ditch with ample capacity for the land irrigated.
 6. State whether or not water has been turned into works of diversion: -----
 - Yes.
 7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): -----
 - NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 36, T. 9S., R15E. B.M. 25 acres.
 8. Submit map on enclosed plat, showing location and details of above description.
- Remarks: Cedar draw carried a very large stream (approx. 75 sec. ft.)
- on the date of this examination.
- No information was obtained as to the usual flow.
- The same ditch is used by Abel C. McKinley - Permit 11307

This examination was made on the 16 day of Oct. 1917.

(Signed) M. R. Lewis

Examiner.

(This report must be sworn to and made on an affidavit of the State Engineer's office)

STATE OF IDAHO

County of _____

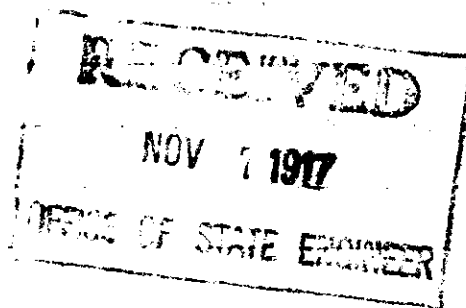
} ss.

_____, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this _____ day of _____ 191_____

Notary Public.

My Commission Expires _____



John Hlavaty, Buhl.

Dist. No. 46

J. H. SMITH
STATE ENGINEER
FRED A. WILKIE
DEPUTY STATE ENGINEER

State of Idaho
Engineering Department
Boise
January 29, 1918.

Re: Permit No. 11429.

Mr. John Hlavaty,
Filer, Idaho.

Dear Sir:

Enclosing herewith Water License issued
under above permit, with receipt for fee.

Very truly yours,

J. H. SMITH,
State Engineer.

By *C. Brown*.

Enc: WL
R-277.

MB

11429

State of Idaho

OFFICE OF

STATE ENGINEER

No.

277

Boise, Idaho,

Mar. 15 1917

RECEIVED
FROM

John Hlevaty

of

Filer

\$

400

DOLLARS

FOR

Application for Permit No. \$

Proofs Use 11429 \$

Certified Copy \$

Recording Deed \$

Certificate \$

Total - - \$

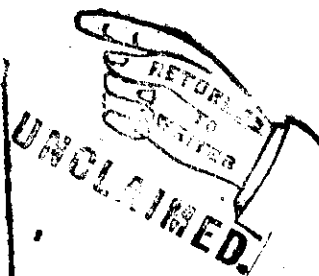
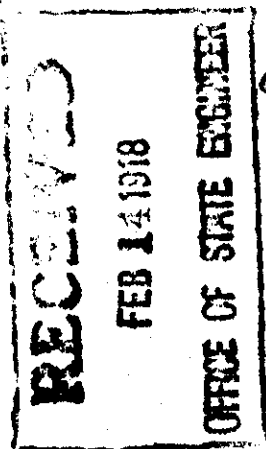
11429

J. H. Smith
State Engineer

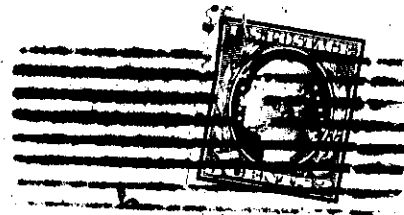
By

R. B. Barber

STATE ENGINEER
BOISE, IDAHO



BOISE
JAN 29-18
11-PM
IDAHO



Mr. John Hlavaty,
Piler, Idaho.

Handwritten signature

11429

JAN 32 1918

January 29, 1918.

Re: Permit No. 11429.

Mr. John Hlavaty,
Filer, Idaho.

Dear Sir:

Enclosing herewith Water License issued
under above permit, with receipt for fee.

Very truly yours,

J. H. SMITH,

State Engineer.

By

Enc: WL
R-277.

MB

11429.

June 14, 1916.

Re Permit No. 11429.

John Hlavaty,
Buhl, Idaho.

Sir:--

Enclosing herewith certificate of completion
of works, with receipt for fees.

Very truly yours,

J. E. SMITH,

State Engineer.

CCW-R8303

By _____

11429

State of Idaho
Engineering Department
Boise

May 23, 1916.

Re Permit 11429.

Mr. John Hlavaty,
Buhl, Idaho.

Sir:--

Am herewith returning your affidavit for completion of works, with check for fees, for completion as follows:

Under the head of "Remarks", state why your affidavit for proof of completion of works was not made at the time your proof of beneficial use of water was made.

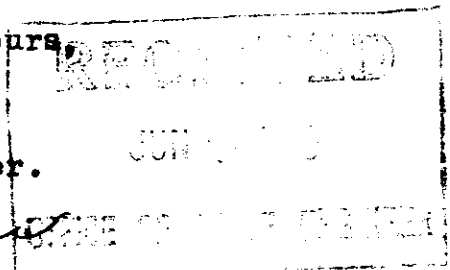
Very truly yours,

J. H. SMITH,

State Engineer.

AH-Ch

By C. Brown



Dear Sir
at the time I filed
The N & C Commissioner said that I had
one year to complete the ditch and that
is why it was not done,
your Truly
John Hlavaty

11429

Permit No. 16566/11429

OFFICE OF STATE ENGINEER

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO,

County of Lincoln ss.

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

First: That he is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho, No. 16566/11429 and that his postoffice address is Buhl State of Idaho.

Second: That the name of the stream from which said water is to be diverted is Cedar Creek.

Third: That the point of diversion of said water is Sec 31 T9 S9 R16 E3M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by January 30 1916.

Fifth: That the use for which said water is intended is Domestic irrigation.

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

I. Kind of works: Ditch, dam, & headgate
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam 1 feet, length of dam at top 20 feet, length of dam at bottom 20 feet. Material used in construction Rock.

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir _____ acre feet.

(c) Size of headgate: Width 2 feet, height 1/2 feet.

(d) Conduit Ditch width at bottom 2 feet, width at water line 2 feet, depth of water 3/4 feet; diameter of pipe _____ inches; average grade per mile is 10 feet. Length of conduit is 1 1/2 miles.

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

Eighth. That water appropriated under said permit is available for 80 acres of land described as follows: NE 1/4 NW 1/4, NW 1/4 NE 1/4 Sec 36 Township 9, R. 15 E3M.

Ninth. Remarks: That _____

Subscribed and sworn to before me this 22nd day of May 1916.

My commission expires July 30/1916.

(Sign here.)

Notary Public.

11429

December 20, 1915.

Re Permit No. 11429.

Mr. John Hlavaty,
Piler, Idaho.

Sir:--

On November 13th we wrote you relative to affidavit of holder for proof of completion of works under above permit, but as yet have received no reply. As the proof cannot be closed and certificate and license issued until this affidavit, with fee of \$5.00, has been received, I will ask that you attend to the matter as soon as possible. This affidavit should have been taken on the same date that your proof of the beneficial use of the water was made, October 23, 1915. It will now be necessary for you to make affidavit as to why this proof was not made on that date. The money order for \$4.00, fees for the final proof, is on file with the papers here.

Very truly yours,

J. H. SMITH,

State Engineer.

By _____

11429

November 13, 1915.

Re Permit 11429.

Mr. John Elavaty,
Filer, Idaho.

Sir:— We are today in receipt of depositions of yourself and two witnesses. affidavit of publication and money order for fees for proof of beneficial use of water, but unaccompanied with the affidavit of holder and fee for proof of completion of works, blank for which was mailed you on the same date as blank notices for final proof. This affidavit should be filled out and returned to us, with \$5.00 fee, and should bear the date of the final proof, October 23, 1915.

Very truly yours,

J. H. SMITH,

State Engineer.

F5-6

By _____

11429

PERMIT No. 11429**Proof of Application of Water to Beneficial Use****DEPOSITION OF HOLDER**

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

Ans. John Elavaty, Age 41 yrs. Filer, Idaho, Farmer.

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

Ans. _____

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

Ans. No. 11429, July 30th 1915, July 30th 1915.

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

Ans. Cedar Creek, SW $\frac{1}{4}$ Sec. 31 T. 16 E. B. M.

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

Ditch

Ans. Stone Dam one foot high, and 30 ft long, / Mile and one-quarter long, and will carry about 150 inches of water.Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have *actually* been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.Ans. Irrigation NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 36, T. 9 S. R. 15 E. B. M.
and about 60 acres irrigated. land has been cultivated and a
good crop raised.

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

Ans. _____

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

Ans. 50 inches.

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. I am the holder of the permit.

11429

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

Ans. I have used the water on this land all summer and have raised wheat, oats and barley and potatoes, that will net me \$1,000.00.

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

Ans. No other water used.

(Sign) John Hlavaty

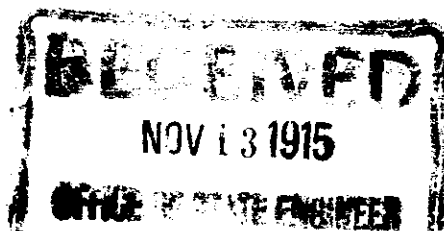
I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Twin Falls, County of Twin Falls, State of Idaho, on this 23rd day of Oct.

A. D. 1915.



U. S. Commissioner for the District of Idaho.

11429



Permit No. 11492.....

Proof of Application of Water to Beneficial Use**DEPOSITION OF WITNESS**

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

Ans. Abel J. McKinley, Age 38 Yrs. Farmer, Filer, Idaho.

Ques. 2. Are you acquainted with John Hlavaty, the holder of Permit No. 11492? How long have you known him and where does he reside?

Ans. Yes. About 2 years. and he resides on the land.

Ques. 3. Have you read or heard read said Permit No. 11492, 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. Cedar Creek, SW $\frac{1}{4}$ SW $\frac{1}{4}$? Sec. 31 T. 9 S. R. 16 E. B. M.

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

Ans. About 150 inches.

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

Ans. Irrigation NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 36 T 9S. R. 15 E. B. M.
and about 60 acres in cultivation. House and barn.

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

Ans. None

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. About 50 inches. and the land is volcanic ash.

11429

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

Ans. Yes. in the works but not in the land described.

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.

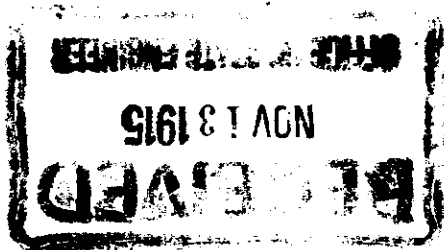
Ans. The above described land has been irrigated and a good crop raised this season.

(Sign) Abel J. McKinley

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 23rd day of October A. D. 1915.

W. C. McConnaughey Notary Public.
My Commission Expires Dec 1st 1916

11429



11429 Permit No.

Proof of Application of Water to Beneficial Use**DEPOSITION OF WITNESS**

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

Ans. Charles. A. Vining. Age 52 yrs Farmer. Filer, Idaho.

Ques. 2. Are you acquainted with John Elavaty, the holder of Permit No. 11429? How long have you known him and where does he reside?

Ans. Yes, about 2 years, and he lives on the above described land

Ques. 3. Have you read or heard read said Permit No. 11429, 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. Cedar Creek, SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 31 Twp. 9 S. R. 16 E. B.M.
Stone Dam, one foot high, and 30 ft long, ditch $1\frac{1}{4}$ mile long, and will carry about 150 inches of water.

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. about 150 inches.

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

Ans. Irrigation and domestic. NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 36, Twp 9 S., R. 15 East B. M. about 60 acres cleared plowed and a good crop raised.

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

Ans. None

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. The land is agricultural in character, and 50 inches required.

11429

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

Ans. No.

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

Ans. I have seen 60 acres of this land irrigated and a good crop raised.

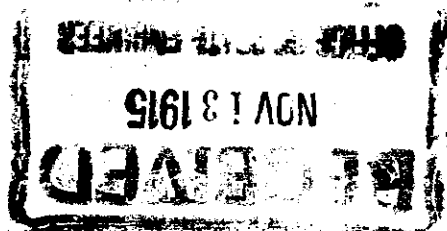
(Sign) Charles C. Vining

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 23rd day of October A. D. 1915.

[Signature]
U. S. Commissioner for the Dist of Idaho. Notary Public.

My Commission Expires

11429



STATE OF IDAHO
ENGINEERING DEPARTMENT

F. P. KING,
STATE ENGINEER

BOISE

INSTRUCTIONS
PROOF OF BENEFICIAL USE

John Hlavati,
c/o C. C. Siggins,
Twin Falls, Idaho.

BOISE, IDAHO, **October 9, 1915.**

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of application of water to beneficial use under your Permit No. **11429.**

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 your rights:

1. On ~~October 23rd~~ **October 23rd** the date set for the proof of application of water to beneficial use, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to, at **Twin Falls, before C.C. Siggins, U.S. Com.**

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice and fee of \$2.00 for each 40-acre tract, or fraction, to which water has been applied. When these have been received together with report of examining engineer, if everything is properly executed, License will issue.

Yours truly,

J. H. SMITH, ~~F. P. KING,~~
State Engineer.

11429

September 16, 1915.

Permit 11429.

Mr. John Hlavaty,
Filer, Idaho.

Sir:--

Am just in receipt of your notices for final proof under above permit. I have set October 23rd as date for proof and, unless otherwise advised by you, the notice for publication will be mailed to the Filer Journal accordingly and deposition blanks will be mailed to Mr. C.C. Siggins, U.S. Commissioner.

Very truly yours,

J. H. SMITH,

State Engineer.

By _____

11429

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) September 15th 1915.

(P. O.) Filer, Idaho.

To the State Engineer,

Boise, Idaho.

Dear Sir:

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

..... John Hlavaty

(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.

11429

NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 10 a. m. on the 23rd day of October 1915, 1915,
 at Twin Falls, County of Twin Falls, State of Idaho,
 before C. C. Siggins, U. S. Commissioner, proof will be submitted
 of the application to beneficial use of One cubic ~~foot~~ per second of the waters of
Cedar Creek, in accordance with the terms and conditions of Permit No. 11429
 heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are.....

John Hlavati, Filer, Idaho.

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

3. The amount applied to beneficial use is..... One Cubit Foot per second.

4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated).....

NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 36, in Township 9 South of Range 15,

East of the Boise Meridian

5. ~~The right to take the water from such works is based upon Permit No. 11429~~ to such place of use is.....

Private Ditch

6. The right to take the water from such works is based upon Permit No. 11429

7. The source of supply from which such water is diverted is..... Cedar Draw, (Creek)

8. The date of the priority which said user is prepared to establish is ~~July 23, 1915~~ July 23, 1915.

J. H. Smith,

~~Boise~~
State Engineer.

11429

August 17, 1915.

Re Permit No. 11429. .

Mr. John Hlavati,
Filer, Idaho.

Sir:--

Per your request I am enclosing herewith affidavit form for proof of completion of works, together with blank notices for proof of beneficial use of water under above permit.

Very truly yours,

J. E. SMITH,

State Engineer.

F5-6-3NU

By&&& _____

11429

State of Idaho
ENGINEERING DEPARTMENT
BOISE

Permit # 11429.

Mr. John Hlavati,
Filer, Idaho.

Boise, Idaho,

July 29, 1915.

Dear Sir:

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

J.H. Smith.

State Engineer

*Please send
Blank necessary
for print of application
of water to municipal use
on above permit
I desire to make and
proof before closing
also come at Filer, Idaho
John Hlavati
Filer Idaho*

5-6-320

11429

State of Idaho
ENGINEERING DEPARTMENT
BOISE

Permit # 11429.

Mr. John Hlavati,
Filer, Idaho.

Boise, Idaho,

July 29, 1915.

Dear Sir:

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

J.H.Smith. .

State Engineer

11429

June 30, 1915.

16566.

Mr. John Hlavati,
Filer, Idaho.

Give information called for in paragraph 7 II (d)
of the blank regarding ditch.

August 29, 1915

11429