Twp	Range	Sec	NE¼ NE¼	NE¼ NW¼	NE¼ SW¼	NE¼ SE¼	NW¼ NE¼	NW¼ NW¼	NW¼ SW¼	NW¼ SE¼	SW¼ NE¼	SW¼ NW¼	SW¼ SW¼	SW¼ SE¼	SE¼ NE¼	SE¼ NW¼	SE¼ SW¼	SE¼ SE¼	Total
14 S	38 E	12												40	40		40		120
		14									40								40
		22			33.5										35			39	107.5
		23										15.9	24.1				20		60
		26	19	26.9	29	40	38.8	40	35	39.8	39	21.8	30	38.4	40.5	30.5	30.2	34.5	553.2
		35										19	19						38
		34	15.1			9									15.2				39.3
		35	1.6	24.6	36.3	17	40	40	31.9	33.5	40	40	40	40	30	28.3	35.7	30	508.9
		36											40						40
14 S	39 E	21					30	40	40										110
		25	20		20	33			20	20	40	40			10	30.5			235.5
		28	5									40	30						75
		29				40					40				20	20	40	40	200
		30		20															20
		32	37.5	40		40							40		40				197.5
		33						30	20	20		40							110
14 S	40 E	19											40				30	30	100
		20											30	20					50
		30	30	30		10	30	40											140
15 S	38 E	1	xxlx	25	15		38	35	40		35	40	40	40			15		325
		2	41	36	29	38.3	41.9	31.5	30		40	20	20	40	40	33.9	33.3	40	514.9
		10	5												12			23	45
		11	39.2	35.7	35.7	39.8	40	40	39.2	40	40	40	39.1	39.6	28.8	38	39.4	35.9	610.4
		12	10	40	40	35	40	40	40	40	40	40	40	40	40	40	40	40	605
		13	40	40	40	40	40	40	40	40		40	40	40			40		480
		14	35	40	40	32.5	40	40	40	40	38.5	28.5	19.7	40	25.5	37	30	23.5	550
		15	30			27.7									7.6				65.3
		22				35									30			40	105
		23	23.5	30	38	37.1	40	30.5	40	40	40	40	40		16.5	30	40		485.6
		24	24	36	40	13.5	40	40	40	40	40	20	20	40	40	40	40	40	553.5
		25	20	40	40	10	40	40	25	40	40	40	40	40	40	40	40	40	575
		26	15.4				5	30	20		12.2	12.8	30	40	10	21.2	37.2	26	259.8
		27	33			40									31.7			8.2	112.9
		34	2		10									10					22
		35	20	40	30	20	20		25	40	40	10		30	40	40	40	40	435
		36	40	40	40	38	36			40	40		32	39	40	40	40	40	505
15 S	39 E	5						41.3	40	30	40	40	40	30		40	10		311.3
		6							20	20	40			20		25	40	10	175
		7		40															40
		18							36.7	21	30.6	36.6	30						154.9
		19										36.2	10						46.2
		30					20					3	30.7	27			15	20	115.7
		31	40	40	40	40	40	32.5	34.8	40	40	34.8	34.7	40	35	30	15	15	551.8
		32										20	20						40
16 S	38 E	1			31.9	36.7			30			40	25	28	40	20	40		291.6
		2			37.6	37.5					40	20	24.5	40	40		40		279.6
		10				15													15
		11	20	20			26	40	40	18.7			5	12	30			32.5	244.2
		12	40	40	33.8	40	20		10	30	40	11		33.5	6.3	15.5	26.5	30.7	377.3
		13		6.4	15	40	39.3	8.6		10.4	20					14.7			154.4
		14					18.7	38	35.4	15									107.1
16 S	39 E	6							31.6		40	34.6	34.6	40					180.8
		7		30	30		40	34.5		25.4					20	30			209.9

TOTAL ± - - 12.215.10 Acres

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Twp	Range	Sec	NE¼ NE¼	NE¼ NW¼	NE¼ SW¼	NE¼ SE¼	NW¼ NE¼	NW¼ NW¼	NW¼ SW¼	NW¼ SE¼	SW¼ NE¼	SW¼ NW¼	SW¼ SW¼	SW¼ SE¼	SE¼ NE¼	SE¼ NW¼	SE¼ SW¼	SE¼ SE¼	Total
14 S	38 E	12												40	40		40		120
		14									40								40
		22			33.5										35			39	107.5
		23										15.9	24.1				20		60
		26	19	26.9	29	40	38.8	40	35	39.8	39	21.8	30	38.4	40.5	30.3	30.2	34.5	353.9
		25										19	19						38
		34	15.1			9									15.2				39.3
		35	1.6	24.6	36.3	17	40	40	31.9	33.5	40	40	40	40	30	28.3	35.7	30	508.9
		36											40						40
14 S	39 E	21					30	40	40										110
		25	20		20	33			20	20	40	40			10	30.5			235.5
		28	5									40	30						75
		29				40					40				20	20	40	40	200
		30		20															20
		32	37.5	40		40							40		40				197.5
		33						30	20	20		40							110
14 S	40 E	19											40				30	30	100
		20											30	20					50
		30	30	30		10	30	40											140
15 S	38 E	1	[illegible]	25	15		38	35	40		35	40	40	40			15		325
		2	41	36	29	38.3	41.9	31.6	30		40	20	20	40	40	33.9	33.3	40	514.9
		10	5												12			23	40
		11	39.2	35.7	35.7	39.8	40	40	39.2	40	40	40	39.1	39.6	23.8	38	39.4	35.9	610.4
		12	10	40	40	35	40	40	40	40	40	40	40	40	40	40	40	40	605
		13	40	40	40	40	40	40	40	40		40	40	40			40		480
		14	35	40	40	32.3	40	40	40	40	38.5	23.5	19.7	40	25.5	37	30	23.5	550
		15	30			27.7									7.6				65.3
		22				35									30			40	105
		23	23.5	30	38	37.1	40	30.5	40	40	40	40	40		16.5	30	40		485.6
		24	24	36	40	13.5	40	40	40	40	40	20	20	40	40	40	40	40	553.5
		25	20	40	40	10	40	40	25	40	40	40	40	40	40	40	40	40	575
		26	15.4				5	30	20		12.2	12.8	30	40	10	21.2	37.2	25	259.8
		27	33			40									31.7			8.2	112.9
		34	8		10									10					28
		35	20	40	30	20	20		25	40	40	10		30	40	40	40	40	455
		36	40	40	40	38	36			40	40		32	39	40	40	40	40	505
15 S	39 E	5						41.3	40	30	40	40	40	30		40	10		311.3
		6							20	20	40			20		25	40	10	175
		7		40															40
		18							36.7	21	30.6	36.6	30						154.9
		19										36.2	10						46.2
		30					20					3	30.7	27			15	20	115.7
		31	40	40	40	40	40	32.5	34.8	40	40	34.8	34.7	40	35	30	15	15	551.6
		32										20	20						40
16 S	38 E	1			31.9	36.7			30			40	25	28	40	20	40		291.6
		2			37.6	37.5					40	20	24.5	40	40		40		279.6
		10				15													15
		11	20	20			38	40	40	18.7			5	12	30			32.5	244.2
		12	40	40	33.8	40	20		10	30	40	11		33.5	6.3	15.5	26.5	30.7	377.3
		13		6.4	15	40	33.5	8.6		10.4	20					14.7			154.4
		14					18.7	38	35.4	15									107.1
16 S	39 E	6							31.6		40	34.6	34.6	40					180.8
		7		30	30		40	34.5		25.4					20	30			209.9

TOTAL = - - 12,215.10 Acres

OFFICE OF

TWIN LAKES CANAL CO.

PRESTON, IDAHO

Aug. 22, 1940

RECEIVED
AUG 24 1940
Department of Reclamation

Mr. James Spofford,

Commissioner of Reclamation,

Boise, Idaho.

Dear Mr. Spofford;

Under separate cover, Iam mailing tracings and blue prints with specifications attached.

Ibelieve that Ihave made the necessary corrections on the application .

Very truly yours,

R-672

OFFICE OF

TWIN LAKES CANAL CO.

PRESTON, IDAHO

August 16, 1940

Mr. James Spofford,

Commissioner of Reclamation,

Boise, Idaho.

Dear Mr. Spofford:

Under separate cover I am mailing plans for proposed dam.

As we only expect to construct part of it this year, as shown by broken line on map; I am in hopes that you can approve the plans to that point, leaving details of valves, well, and pump plans subject to your approval before installation which would be at least a year.

As we only have about 60 days to do the earth work, I am anxious to get started as soon as possible.

If the outlet works, consisting of $\frac{1}{4}$" steel pipe encased in re-enforced concrete, meets with your approval I would like to order the pipe needed for this year.

Mr. Thhlman has probably explained that we do not expect to install control valve this year; but will use flashboards at the outlet end of the pipe.

Do you think that it will be necessary for both cut off trenches as shown on map, to be 12 feet wide in the bottom?

Trusting that I will hear from you soon, I remain

Very truly yours,

J. J. Lunsford

R-679

August 20, 1940

Re: Application No. 25169

Mr. J. J. Sanford, Manager,
Twin Lakes Canal Company,
Preston, Idaho.

Dear Mr. Sanford:

We are returning your application for permit in order that you may submit a land list by subdivisions, under Paragraph 30.

Paragraph 5 should show point of diversion to the nearest 40-acre subdivision.

The corrected application should be returned not later than October 19, 1940.

We have no permit on record issued to the Twin Lakes Canal Co., and therefore the lands are not on record here.

In regard to your specifications and plans, we believe the pipe as explained in your letter would be O.K. for the outlet.

We are returning your maps under separate cover for the Engineer's certificate. You should also have him submit general specifications.

The cut-off trench could probably be narrowed to 8 feet, but should be deep enough to tie to suitable material.

Very truly yours,

JAMES ROCKWOOD
Commissioner of Reclamation

By

Deputy Commissioner

D:A
Encl. Appl. 25169
Receipt # 17536

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DETAIL SPECIFICATIONS.

The Requirement.-- The construction of an earthen dam for forming what is know as Twin Lakes Reservoir No. 2, located in Section 14, Township 14 South, Range 39 East, Boise Meridia n.

List of Drawings.--

1. Ma p showing location of work.
2. Plan and topography.
3. Profile and typical cross section.

Commencement,-Prosecution and Completion of Work.-- The contractor shall begin the work w thin _____ days after the execution of the contract on behalf of the company, and shall thereafter carry on the work with a force and equipment sufficient, in the opinion of the engineer, to complete the work w thin the time required. The Dam shall be completed to the height of elevation 103, as shown on the plans, by November 1st, 1940.

Fa ilure to complete Work in Time Agreed Upon,-- Should the contra ctor fail to complete the entire work within the time agreed upon in the contract or within such extra time as may have been allowed for delays by formal extensions granted by the company, a deduction of _____ dollars per day will be made for each and every day, including Sundays and holidays, that the work remains uncompleted after the date required or allowed for its completion. The said amount is hereby agreed upon as liquidated damages for the loss to the company on account of the expense due to the employment of engineers, inspectors and other employees after the expiration of the time for completion and on account of the failure of the operation of the irrigation works dependant thereon, and w ll be deducted from any money due the contractor under this contract, and the contractor and his sureties shall be liable for any excess. A special lien to secure the claims of the company in the event of suspension of the contract is hereby created against any property of the contractor taken into the possession of the company under the terms of this contract; and such lien may be enforced by the sale of such property under the direction of the

E 6 FF

company, and the net proceeds of the sale, after deducting all expenses thereof and connected therewith, shall be credited to the contractor. If such net proceeds shall be in excess of the claim of the company against the contractor, the balance will be paid to the contractor or his legal representatives.

Progress Estimates and Payments.— At the end of each calendar month the engineer will make an approximate measurement of all work done and material delivered up to that date, classified according to items named in the contract, and will make an estimate of the value of the same on the basis of the unit prices named in the contract. To the estimates made as above set forth will be added the amounts earned for extra work to the date of the progress estimate. From the total thus computed a deduction of ten per cent will be made and from the remainder there will be further deducted any amount due to the company from the contractor for supplies or material furnished or services rendered and any other amounts that may be due to the company as damages for delays or otherwise under the terms of the contract. From the balance thus determined will be deducted the amount of all previous payments, and the remainder will be paid to the contractor upon the approval of the accounts. The ten per cent (10%) deducted as above set forth will become due and payable to the contractor with and as a part of the final payment to be made as hereinafter provided. In case of the suspension of the contract, the said ten per cent (10%) shall be and become the sole and absolute property of the company to the extent necessary to repay to the company any excess in the cost of the work above the contract price. When the terms of the contract shall have been fully complied with to the satisfaction of the engineer and when a release of all claims against the company under or by virtue of the contract shall have been executed by the contractor, final payment will be made of any balance due, including the percentage withheld as above, or such portion thereof as may be due the contractor.

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EMBANKMENT.

1. Preparation of Embankment Site.-- The sites of the embankments, shall be thoroughly cleaned and grubbed, and all brush, roots, and other vegetable matter shall be removed. The top soil of the entire area shall be removed to the extent necessary to remove all sod. The entire site, after removal of all undesirable material, shall be thoroughly roughened by plowing furrows to a depth of at least eight (8) inches, spaced approximately three (3) feet apart, such work to be done transversely in advance of depositing material in the dam. All pockets of mud or silt shall be removed. Payment for this work shall be included in the price bid for embankment.

2. Excavation of Trenches.-- Trenches shall be excavated to the dimensions and in the position shown on the drawings, or as directed by the engineer. Material excavated from these trenches shall be used in the body of the embankment, and shall be placed as provided in the paragraph on Construction of Embankment.

3. Construction of embankment.-- The embankment shall be built in horizontal layers, each not exceeding six (6) inches in thickness after compacting. Material shall be deposited in the embankment as directed by the engineer. Work shall be started at the lowest part of the dam and shall be carried up in approximately level layers. Each layer shall be watered to the extent, determined by the engineer, necessary to give the greatest degree of compacting, but in no case shall the material be allowed to become saturated. The layeres shall compacted with a standard sheepsfoot roller. The number of rollings shall be such as in the judgment of the engineer is required to give the greatest practicable degree of compactness and more than one rolling will be required if found necessary. Selected material deposited in the core and cut-off trench shall be treated in the same manner as the remainder of the embankment. It shall be optional with the engineer whether or not he requires the backfill of the cut-off wall trench to be rolled in as the dam embankment or to be thoroughly saturated with water and puddled to his satisfaction. Where it is impossible to roll earth adjacent to the cut-off walls or other places in the embankment it shall be tamped by hand or otherwise consolidated to an extent equal to that effected by the roller in use elsewhere on the embankment. No material

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shall be placed when any of the materials or the embankment are frozen or when the embankment is too wet to permit satisfactory rolling and consolidation. The embankment shall be built accurately to the lines and grades given by the engineer.

b. Borrow-pits.— All borrow-pits must be approved by the engineer both as to location and quality of material to be used therefrom. Borrow-pits will be located on high above elevation 100, unless otherwise directed by the engineer. The surface of all borrow-pits shall be carefully cleared of brush, weeds and other organic matter and disposed of as directed by the engineer. The cost of clearing and removing roots from borrow-pits shall be included in the unit price bid for earth embankment.

b. Measurement and Payment.— All material placed in embankments will be measured for payment in embankment only. Measurements will be made to the neat lines as shown on the drawings, or as staked out by the engineer and will include all material placed in the embankments except the trench excavations from the cut-off walls trenches, which will be deducted. The measurements will include the material backfilled in the cut-off walls trenches. All material backfilled in the cut-off walls trenches shall be measured to the neat lines shown on the drawings or as prescribed by the engineer, and shall be paid for at the unit prices bid for excavation. The prices bid shall include all expenses incident to the clearing of borrow-pits, excavating, hauling spreading, watering, tamping and rolling material, and trimming slopes.

CONCRETE.

6. Design of Forms.—The forms shall conform to the lines and grades specified in the plans or directed by the engineer and shall be so tied or braced in place as to insure their complete stability until their purpose has been served.

Lumber used for exposed surfaces shall be of uniform width, straight edges, and dressed on one side. It shall be free from loose knots, knot holes, cracks, or other defects rendering it unsuitable for form work. When permitted by the engineer, undressed lumber may be used for unexposed surface forms.

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7. Removal of Forms.— Removal of forms shall be carried out in such a manner as to insure the complete safety of the structure. Forms shall not be removed before the structure has acquired sufficient strength to support its load and its weight. In no case shall forms be removed earlier than 24 hours after the concrete is placed.

8. Cement.— The cement shall be standard Portland Cement of a brand approved by the engineer, and shall conform to the requirements of the Standard Specifications for Portland cement, of the American Society of Testing Materials, serial designation C-30 with all subsequent amendments thereto adopted by said society. Care must be exercised in the storing of the cement on the work, and any cement damaged by moisture or which fails to meet any of the above requirements shall be rejected. When so required by the engineer, cement shall be tested at the plant before loading for shipment.

9. Fine Aggregates.— The fine aggregate shall consist of clean, hard, durable, uncoated, siliceous grains, free from lumps, alkali, organic matter, loam, or other deleterious substances. It shall be well graded from coarse to fine and when tested by means of laboratory screens shall meet the following requirements;

Passing a ¼" screen		100%
"	a 30 mesh screen	75%
"	a 50 mesh screen	25%
"	a 100 mesh screen	5%

Not more than (3) three percent by weight shall be removed by the Chlorination test.

10. Coarse Aggregates.— Coarse aggregates shall consist of clean, hard, tough, crushed trap quartzites of granite, or of screened and washed gravel. The soft disintegrated pebbles contained in the gravel shall not exceed three percent by weight. It shall contain no vegetable matter. The size of the coarse aggregate shall be uniformly graded and shall be such as to pass through a screen having one and one-half inch square openings; at least forty percent and not more than seventy five percent shall pass through a screen having three-quarter inch square openings; and not more than five percent shall pass a laboratory screen having four meshes per lineal inch. No intermediate size shall be removed. Fine and coarse aggregates shall be stored in separate piles.

11. Water.— Water used in mixing concrete shall be clean and free from strong acids, alkali, oil or organic materials.

12.Cement Concrete.— Cement concrete shall consist of an approved quality of Portland Cement, a fine aggregate of sand and a coarse aggregate of broken stone or clean gravel mixed in the following proportions: (1) one part cement; (2) parts of fine aggregate; and (4) four parts of coarse aggregate. In making the concrete the greatest of care must be exercised to maintain the water-cement ratio to not more than (7) seven gallons of water to one bag of cement. The water cement ratio is defined as the total quantity of water entering the mixture, including the surface-water carried by the aggregate. The water cement ration shall be expressed in U. S. gallons per 94 pound sack of cement. In general the maximum size of the coarse aggregates must not exceed (1½) inches in diameter, however in heavily reinforced concrete, in thin walls or slabs the engineer may require the use of coarse aggregates ranging in size from ¼ to 1 inch.

13. Mixing.— The concrete shall be mixed until all materials are uniformly distributed throughout the mass and the mixture is uniform in color and is homogeneous. The mixer shall be of such design as to insure the maintenance of the correct proportions of various materials. Each batch shall be mixed for a period of at least one and one-half minutes after all materials are in the mixer.

14.Placing.— When concreting is once started, it shall be carried on as a continuous operation until the section in which it is placed is completed. It shall be thoroughly co compacted and embedded in the forms around the reinforcing bars during the placement operation.

15.Finishing.—The surface of concrete finished against forms must be smooth, free from projections and thoroughly filled with mortar. Incase the surface of the concrete, upon removal of forms, is found to be rough and irregular or not well filled with mortar, it shall be removed at the contractor's expense and new concrete shall be placed either for the full thickness or such part as the engineer may direct. Immediately upon the removal of forms all voids shall be neatly filled with cement mortar, irregularities in exposed surfaces shall be removed and minor imperfections of finish shall be smoothed to the satisfaction of the engineer. Exposed surfaces of concrete not finished against forms, such as horizontal or sloping surfaces, shall be brought to a uniform surface and worked with suitable tools to a smooth mortar finish. All exposed salient angles shall be rounded or beveled by the use of moulding strips or suitable moulding or finishing tools.

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16.-Reinforcing Steel.-- Steel bars for reinforcing concrete are to be placed in the concrete wherever shown on the drawings or prescribed by the engineer. The steel used for concrete reinforcement shall be so secured in position that it will not be displaced during the depositing of the concrete. Special care shall be exercised in depositing concrete to prevent any movement of the steel in the concrete that has already been placed.

17. Measurement.--The concrete for structures will be measured for payment to the neat lines as shown in the drawings, or as prescribed by the engineer. No payment will be made for concrete outside of the prescribed lines and in case cavities resulting from careless excavation are required to be filled with concrete, the cement used will be charged to the contractor at its cost to the company at the point of delivery to him.

18. Payment.--The unit price bid for concrete in structures shall include the cost of all labor and materials except as otherwise herin provided, necessary for and incident to the manufacture of the concrete in the completed structures.

General Specifications

COMPANY.

1. The word "company" used in these specifications or in the contract, unless otherwise qualified by the context, means TWIN LAKES CANAL COMPANY

ENGINEER.

2. The word "engineer" used in these specifications or in the contract, unless otherwise qualified by the context, means the chief Irrigation and Hydraulic Engineer of TWIN LAKES CANAL COMPANY He will be represented on the work by assistants and inspectors authorized to act for him. On all questions concerning the acceptability of material or machinery, the classification of material, the execution of the work, conflicting interests of contractors performing related work, and the determination of costs, the decision of the engineer shall be final.

CONTRACTOR

3. The word "contractor" used in these specifications or in the contract means the person, firm, or corporation with whom the contract is made by TWIN LAKES CANAL COMPANY

The contractor shall at all times be represented on the work in person or by a forman, or duly designated agent. Instructions and information given by the engineer to the contractor's foreman, or agent, on the work, shall be considered as having been given to the contractor. When two or more contractors are engaged on installation or construction work in the same vicinity, the engineer shall be authorized to direct the manner in which each shall conduct his work, so far as it affects other contractors.

FORM OF PROPOSAL.

4. The proposal shall be made on the form provided for that purpose, and shall be enclosed in a sealed envelope, marked, and addressed as required in the Notice to Bidders. The bidder shall state in words and in figures, in the spaces provided therefor in the propocal, the unit price or the specific sums, as the case may be, for which he proposes to supply material, tools, equipment, and perfrom the work required by these specifications. In case of any discrepancy between the the figures and the written price the latter shall hold.

SIGNATURE.

5. The proposal must be properly signed. If the proposal is made by an individual, it must be signed by his full name, and his address shall be given after his signature. If the proposal is made by a firm, it shall be signed with co-partnership name by a member of the firm, and the name and address of each member shall be given. If the proposal is made by a corporation, it shall be signed by an officer with the corporate name, and the corporate seal shall be attached to the signature. Anyone signing a proposal as an agent of another or of others must file with it legal evidence of his authority to do so.

PROPOSAL.

6. All blank spaces in the proposal shall be properly filled. The phraseology of the proposal should not be changed, and no additions should be made to the items mentioned therein. Alterations by erasures or interlineation must be explained or noted in the proposal over the signature of the bidder. If the unit price and total amount named by the bidder for any item do not agree, the unit price alone will be considered in representing the bidder's intention. A bidder may withdraw his

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proposal before the expiration of the time during which proposals may be submitted by submitting a written request for its withdrawal. No proposal received after time specified in the advertisement will be considered. No teleghaphic proposal or telegraphic modifications of the proposal will be considered. A proposal sent by mail should be sent special delivery or registered, and sufficient allowance should be made for the additional time required in such transmission. The proposal shall be made out for completed work as per schedule, and no partial bids will be considered. Bidders are invited to be present at the opening of the proposals. The right is reserved to reject any or all proposals, to accept one part of a proposal and to reject the other, and to waive all technical defects, as the interests of the company may require.

CASHIER'S CHECK.

7. Each bidder shall submit with his proposal a cashier's check for the sum stated in the notice to bidders, drawn to the order of the company. If a bidder to whom an award is made fails or refuses to execute the required contract and bond within the time specified in paragraph 8, the proceeds of his check shall become the property of the company. The check of the successful bidder will be returned after the execution of his contract and the approval of his bond on behalf of the company. The checks of the other bidders will be returned at the expiration of forty-five days from the date of opening proposals, or sooner if the contract is executed prior to that time.

THE CONTRACT.

8. The bidder to whom an award is made shall execute a written contract with the company, and if a bond is required he shall furnish a good and approved bond within ten days after the award of the contract. The contract shall be in the form adopted by the company, and shall be made a part of the proposal. If the bidder to whom an award is made fails to enter into a contract as herein provided the award will be annulled, and an award may be made to the bidder whose proposal is next most acceptable in the opinion of the company; and such bidder shall fulfill every stipulation embraced herein as if he were the party to whom the first award was made. The advertisement, notice to bidders, proposal, general specifications and detail specifications will be incorporated in the contract. A corporation to which an award is made will be required, before the contract is finally executed, to furnish a certificate of its corporate existence and evidence that the officer signing the contract for the corporation is duly authorized to do so.

CONTRACTOR'S BOND

9. The contractor shall furnish bond in an amount specified in the notice to bidders, conditioned upon the faithful performance by the contractor of all covenants and stipulations in the contract. If during the continuance of the contract any of the sureties die, or, in the opinion of the company, are or become irresponsible, they may require additional sufficient sureties, which the contractor shall furnish to the satisfaction of the company within ten days after notice, and in default thereof the contract may be suspended by the company and the materials purchased or the work completed as provided in paragraph 14.

TRANSFERS.

10. Transfer of a contract or of any interest therein is prohibited.

SAMPLES OR SPECIMENS.

11. The contractor shall submit samples or specimens of such materials to be furnished or used in the work as the engineer may require.

MATERIAL AND WORKMANSHIP.

12. All materials must be of the specified quality and equal to approved samples, if samples have been submitted. All work shall be done and completed in a thorough, workmanlike manner, notwithstanding any omissions from these specifications or the drawings. All materials furnished and all work done must be satisfactory to the engineer. Work not in accordance with these specifications, in the opinion of the engineer, shall be made to conform thereto. Unsatisfactory material will be rejected, and, if so ordered by the engineer, shall, at the contractor's expense, be immediately removed from the vicinity of the work.

DELAYS.

13. The contractor shall receive no compensation for delays or hindrances to the work except when, in the judgment of the engineer, direct and unavoidable extra cost to the contractor is caused by the failure of the company to provide necessary information, material, right of way, or site for

installation. When such extra compensation is claimed a written statement thereof shall be presented by the contractor not later than fifteen days after the close of the month during which extra cost is claimed to have been incurred. Such claims, if found correct, will be approved and the decision of the engineer whether extra cost has been incurred and the amount thereof shall be final. If delays are caused by specific orders to stop work given by the engineer, or by the performance of extra work, or by unforeseen causes beyond the control of the contractor, or by failure of the company to provide material or necessary instructions for carrying on the work, or to provide the necessary right-of-way or site for installation, then such delay will entitle the contractor to an equivalent extension of time, except as otherwise provided in paragraph 32. Application for extension of time must be approved by the company, and shall be accompanied by the formal consent of the sureties, but an extension of time, whether with or without such consent, shall not release the sureties from their obligations, which shall remain in full force until the discharge of the contract.

SUSPENSION OF CONTRACT.

14. If the contractor fails to begin the delivery of the material or to commence work as provided in the contract, or fails to make deliveries of materials promptly as ordered, or to maintain the rate of delivery of material or progress of the work in such manner as to insure a full compliance with the contract within the time limit, or if in the judgment of the engineer the contractor is not carrying out the provisions of the contract in their true intent and meaning, written notice will be served on him to provide within a specified time for a satisfactory compliance with the contract, and if he neglects or refuses to comply with such notice the company may suspend the operation of all or any part of the contract, or may in its discretion after such notice, purchase any or all of the material for him without suspending the contract, the cost of such material to be deducted from his monthly estimates. Upon the suspension of a contract for furnishing material or machinery the company may purchase the material or machinery necessary to complete the contract in such manner as it may deem proper. Upon suspension of a contract for construction or installation the company may in its discretion take possession of all or any part of the machinery, tools, appliances, animals, materials and supplies used on the work covered by the contract or that have been shipped or delivered by or on account of the contractor for use in connection therewith, and the same may be used either directly by the company or by other parties, for it, for the completion of the work suspended; or the company may employ other parties to perform the work, or may substitute other machinery or materials, purchase the material contracted for in such manner as it may deem proper, or hire such force and such machinery, tools, appliances, animals, materials and supplies at the contractor's expense as may be necessary for the proper conduct and completion of the work. Any cost to the company in excess of the contract price arising from the suspension of the contract will be charged to the contractor and his sureties, who shall be liable therefor. A special lien to secure the claims of the company, in the event of suspension of the contract, is hereby created against any property of the contractor taken into the possession of the company under the terms hereof, and such lien may be enforced by a sale of such property under the direction of the company and the proceeds of the sale, after deducting all expenses thereof and connected therewith, shall be credited to the contractor. If such net proceeds shall be in excess of the claims of the company against the contractor, the balance will be paid to the contractor or his legal representatives. If, in the opinion of the engineer, there is an emergency for the furnishing of certain material or the performance of certain work in order to insure compliance with the terms of the contract, and if the contractor fails to furnish such material or to perform such work within a reasonable time fixed by written notice from the engineer to the contractor, then the engineer shall have the power to furnish such material or to perform such work at the expense of the contractor and his sureties, who shall be liable therefor. In the determination of the question whether there has been such noncompliance with the contract as to warrant its suspension, or the furnishing of material or the performance of work by the company as herein provided, the decision of the engineer shall be final.

CANCELLATION OF CONTRACT.

15. If at any time unforeseen conditions arise after the award of the contract that affect or may be detrimental to the interests of the company, said company reserves the right to cancel the contract. In case this is done, a board of three arbitrators shall be chosen,—one by the contractor, one by the company, and these two in turn are to choose the third—to determine the damage incurred to the contractor due to the cancellation of the contract; under no condition, however, shall anticipated profits be included as damages. A majority report of the board shall be final.

CHANGES.

16. The engineer may, without notice to the sureties on the contractor's bond, make such changes in the designs of material or machinery or plans for installation or construction, or in the

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quantities or character of the work or material required as he may deem advisable. These changes in plans for installation or construction may also include modifications of shapes and dimensions of canals, dams, and other structures, and the shifting of locations to suit conditions disclosed as work progress. If such changes result in an increase or decrease of cost to the contractor, the engineer will make such additions or deductions on account thereof as he may deem reasonable and proper, and his action thereon shall be final. Extra work or material shall be charged for as hereinafter provided.

EXTRA WORK OR MATERIAL.

17. In connection with the work covered by this contract the engineer may order work or material not covered by the specifications. Such work or material will be classed as extra work, and will be ordered in writing. No extra work or material will be paid for unless ordered in writing. Extra work shall be charged for at actual necessary cost, as determined by the engineer, plus fifteen per cent for profit, use of equipment, superintendence and general expenses. The actual necessary cost will include all expenditures for materials, labor, and supplies furnished by the contractor, and a reasonable allowance for the use of shop equipment where required, but will not include any allowance for office expenses, use of equipment, general superintendence or other general expenses. At the end of each month the contractor shall present in writing his claims for extra work and material, and, when requested by the engineer, shall furnish itemized statements of the cost and shall permit examination of all accounts, bills and vouchers relating thereto.

CHANGES AT CONTRATOR'S REQUEST.

18. If the contractor, on account of conditions developing during the progress of the work, finds it impracticable to comply strictly with these specifications and applies in writing for modification of structural requirements or of methods of work, such change may be authorized by the engineer if not detrimental to the work and if without additional cost to the company.

INSPECTION.

19. All materials furnished and work done under this contract will be subject to rigid inspection. The contractor shall furnish complete facilities including the necessary labor for the inspection of all material and workmanship. The engineer shall have at all times access to all parts of the shop where such material under his inspection is being manufactured. Material that does not conform to the specifications, accepted through oversight or otherwise, may be rejected at any stage of the work. Whenever the contractor on installation or construction is permitted or directed to do night work or to vary the period during which work is carried on each day, he shall give the engineer due notice, so that inspection may be provided for. Such work shall be done without extra compensation and under regulations to be furnished in writing by the engineer.

ERRORS AND OMISSIONS.

20. The contractor will not be allowed to take advantage of any error or omission in these specifications. Suitable written instructions will be given when such error or omission is discovered.

CONTRACTOR'S FINANCIAL OBLIGATIONS.

21. The contractor shall promptly make payments to all persons supplying labor and materials in the execution of the contract, and a condition to this effect shall be incorporated in the contractor's bonds, and should he fail to do so the company may make such payments on the contractor's behalf, and the contractor shall hereby agree to repay to the company all such sums so paid, or he shall agree to the deduction by the company of such sums, with interest at the rate of six per cent per annum, from any money due or to become due to him.

EXPERIENCE.

22. Bidders, if required, shall present satisfactory evidence that they have been regularly engaged in furnishing material and machinery and constructing such work as they propose to execute, and that they are fully prepared with necessary capital, machinery and material to begin the work promptly and to conduct it as required by these specifications.

SPECIFICATIONS AND DRAWINGS.

23. The contractor shall keep on the work a copy of the specifications and drawings, and shall at all times give the engineer access thereto. Any drawings or plans listed in the detail specifications shall be regarded as part thereof and of the contract. Anything mentioned in these specifica-

tions and not shown in the drawings, or shown in the drawings and not mentioned in these specifications, shall be done as though shown or mentioned in both. The Engineer will furnish from time to time such detail drawings, plans, profiles and information as he may consider necessary for the contractor's guidance.

LOCAL CONDITIONS.

24. Bidders shall satisfy themselves as to local conditions affecting the work, and no information derived from the maps, plans, specifications, profiles or drawings, or from the engineer or his assistants, will relieve the contractor from any risk or from fulfilling all of the terms of his contract. The accuracy of the interpretation of the facts disclosed by borings or other preliminary investigations is not guaranteed. Each bidder or his representative should visit the site of the work and familiarize himself with local conditions; failure to do so when intelligent preparation of bids depends on a knowledge of local conditions may be considered sufficient cause for rejecting a proposal.

WORKMENS COMPENSATION LAW.

25. The contractor shall, at his own expense provide for the insurance of his employees in such manner as may be required by the laws of the state in which the work is being done.

DATA TO BE FURNISHED BY THE CONTRACTOR

26. The contractor shall furnish the engineer reasonable facilities for obtaining such information as he may desire respecting the character of the materials and the progress and manner of the work, including all information necessary to determine its cost, such as the number of men employed, their pay, the time during which they worked on the various classes of construction, etc. The contractor shall also furnish the engineer copies of expense bills for transportation charges on all machinery, materials and supplies shipped to or from the project in connection with the work under the contract.

RESTRICTIONS ON DISPOSITION OF PLANT, ETC.

27. The contractor shall not make any disposition of the plant, machinery, tools, appliances, supplies, materials or animals used on or in connection with the work, either by sale, conveyance, or incumbrance, inconsistent with the special lien of the company expressly created by this contract.

DAMAGES.

28. The contractor will be held responsible for and required to make good, at his own expense all damage to person or property caused by carelessness or neglect on the part of the contractor, his agents or employees.

CHARACTER OF WORKMEN.

29. The contractor shall not allow his agents or employees to trespass on premises or lands in the vicinity of the work. None but skilled foremen and workmen shall be employed on work, the performance of which requires special qualifications, and when required by the engineer the contractor shall discharge any person who commits trespass, or is in the opinion of the engineer, disorderly, dangerous, insubordinate, incompetent, or otherwise objectionable. Such discharge shall not be the basis of any claim for compensation or damages against the company or any of its officers.

STAKING OUT WORK.

30. The work to be done will be staked out for the contractor, who shall provide such material and give such assistance as may be required by the engineer.

METHODS AND APPLIANCES.

31. The methods and appliances adopted by the contractor shall be such as will, in the opinion of the engineer, secure a satisfactory quality of work, and will enable the contractor to complete the work in the time agreed upon. If at any time the methods and appliances appear inadequate, the engineer may order the contractor to improve their character or efficiency, and the contractor shall conform to such order; but failure of the engineer to order such improvement of methods or efficiency will not relieve the contractor from his obligation to perform satisfactory work and to finish it in the time agreed upon.

CLIMATIC CONDITIONS.

32. The engineer may order the contractor to suspend any work that may be damaged by climatic conditions. When delay is caused by an order to suspend work given on account of climatic

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conditions that could have been reasonably foreseen the contractor will not be entitled to any extension of time on account of such order.

QUANTITIES AND UNIT PRICE.

33. The quantities noted in the schedule or proposal are approximations for comparing bids, and no claim shall be made against the company for excess or deficiency therein, absolute or relative. Payment at the prices agreed upon will be in full for the completed work and will cover materials, supplies, labor, tools, machinery, and all other expenditures incident to satisfactory compliance with the contract.

REMOVAL AND REBUILDING OF DEFECTIVE WORK.

34. The contractor shall remove and rebuild at his own expense any part of the work that has been improperly executed, even though it has been included in the monthly estimates. If he refuses or neglects to replace such defective work, it may be replaced by the company at the contractor's expense.

PROTECTION OF WORK AND CLEANING UP.

35. The contractor shall be responsible for any material furnished him and for the care of all work until its completion and final acceptance, and he shall at his own expense replace damaged or lost material and repair damaged parts of the work, or the same may be done at his expense by the company. He shall take all risks from floods and casualties and shall make no charge for detention from such causes. He may, however, be allowed a reasonable extension of time on account of such detention, subject to the conditions hereinbefore specified. The contractor shall remove from the vicinity of the completed work all plant, buildings, rubbish, unused material, concrete forms, etc., belonging to him or used under his direction during construction, and in the event of his failure to do so the same may be removed by the company at his expense.

ROADS AND FENCES.

36. Roads subject to interference from the work covered by this contract shall be kept open, and the fences subject to interference shall be kept up by the contractor until the work is finished.

BENCH MARKS AND SURVEY STAKES.

37. Bench marks and survey stakes shall be preserved by the contractor, and in case of their destruction or removal by him or his employees, they will be replaced by the engineer at the contractor's expense.

RIGHT OF WAY.

38. The site for the installation of machinery or the right of way for the works to be constructed under this contract and for necessary borrow pits, channels, spoil banks, ditches, roads, etc., will be provided by the company.

SANITATION.

39. The engineer may establish sanitary and police rules and regulations for all forces employed under this contract; and if the contractor fails to enforce these rules the engineer may enforce them at the expense of the contractor.

INTOXICANTS.

40. The use or sale of intoxicating liquor is absolutely prohibited on the work, except for medicinal purposes.

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TWIN LAKES CANAL COMPANY

PRESTON, IDAHO.

ADVERTISEMENT, PROPOSAL, SPECIFICATIONS

AND DRAWINGS.

TWIN LAKES CANAL COMPANY

DAM FOR TWIN LAKES RESERVOIR

Aug. 1940

Specifications No
RECEIVED
AUG 24 1940
Department of Reclamation

APPROVED
AUG 27 1940
Commissioner of Reclamation

R-679

-:- C O N T E N T S -:-

Advertisement----------1a.
Notice to Bidders----------1a.
Proposal----------
Guaranty of Bond----------
Schedule----------2a.

GENERAL SPECIFICATIONS:

Detail Specifications.--
3. The Requirements.
3a. List of Drawings.
3a. Commencement, Prosecution and Completion of work.
3a. Failure to Complete Work in Time Agreed Upon.
4a. Progress Estimates and Payments.

Embankment.--
1. Preparation of Embankment Site.
1. Excavation of Trenches.
1. Construction of Embankment.
2. Borrow-pits.
2. Measurement and Payment.

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ADVERTISEMENT
DAM FOR TWIN LAKES RESERVOIR.
OFFICE OF THE TWIN LAKES CANAL COMPANY

Preston, Idaho,_____, 1940

Sealed proposals will be received at the office of the Twin Lakes Canal Company at Preston, Idaho, until 2 o'clock P.M.,_____, 1940 for the building of a dam to be located in Section 14, Township 14 South Range 39 East, Boise Base and Meridian. This work involves approximately the following quantities:_____ cubic yards of earth embankment and_____ cubic yards of earth excavation.

NOTICE TO BIDDERS.

Each proposal must be accompanied by a certified check, payable to the order of the Twin Lakes Canal Company, as a guaranty that the bidder will, if successful, promptly execute a satisfactory contract and furnish bond for the faithful performance of the work as required by paragraphs 8 and 9 of these specifications in the amount of forty per cent (40) % of the estimated aggregate payment to be made under the contract.

The envelope enclosing the proposal must be marked, "Proposal for Construction of Dam for Twin Lakes Reservoir," and addressed "The Twin Lakes Canal Company, Preston, Idaho."

K-679

PROPOSAL

FOR THE CONSTRUCTION OF THE DAM OF THE TWIN LAKES RESERVOIR NO. 2 IN FRANKLIN COUNTY IDAHO

_____,1940

The Twin Lakes Canal Company,
Preston, Idaho

Gentlemen:

Pursuant to the foregoing advertisement, the undersigned bidder proposes to do all the work and to furnish all the material as provided by the attached specifications, and binds himself on award by The Twin Lakes Canal Company under this proposa l to execute in accordance with such award, a contract, with necessary bond, of which this proposal and the said advertisement and specifications shall be a part, for performing and completing asid contract within the time required by these specifications and at the prices named in the specifications and in the schedules hereto annexed.

The bidder furthermore agrees that, in case of his default in executing a contract with necessary bond, the proceeds of the check accompanying this proposal shall be and remain the property of the Twin Lakes Canal Company.

Signa ure:_____

_____

Address:_____

Na mes of individual members of firm or names and titles of all officers of corporation:

_____

_____

_____

_____

_____

_____

_____

Corporation organized under the laws of the State of_____

R-677

If contract is awarded under this proposal, the bidder proposes to do the work with equipment of the following cha racter and quantity:

_____

_____

_____

_____

GUARANTY OF BOND.

We agree to fur nish bond for this bidder as required by these specifications and the regulations of The Twin Lakes Ca nal Company, in case contract is awarded on the basis of this proposal.

Signatures and addresses of guara ntors of bond.

_____

_____

_____

_____

_____

R 619

SCHEDULE

DAM

TWIN LAKES RESERVOIR.

ITEM NO.	WORK OR MATERIAL	QUANTITY AND PRICE	AMOUNT
1.	Earth Embankment,	25,000 cu. yds. at _____ (@_____) per cu. yd.	@_____
2.	Excavation for Cut-off Wall	cu. yds. at _____ (@_____) per cu. yd.	@_____

R-679

August 7, 1940

Mr. J. J. SANFORD, Manager,
Twin Lakes Irrigation Company,
Preston, Idaho.

Dear Mr. Sanford:

Mr. Tolman of this office will be in Preston on wither August 13 or 14, and will examine the proposed dam site. He will also check over plans and specifications for this new dam.

He will get in touch with you upon reaching Preston.

Very truly yours,

JAMES SPOFFORD,
Commissioner of Reclamation

Js/jf

R-679

August 28, 1940

Re: Permit No. R-679

TWIN LAKES CANAL COMPANY
Preston, Idaho.

Gentlemen:-

Your application for permit to store 2,500 acre feet of water from Mink Creek has been approved, and permit will be issued and sent you within a few days.

Meanwhile, we are enclosing blue prints and specifications, which have been approved by the Commissioner of Reclamation.

Very truly yours,

JAMES SPOFFORD
Commissioner of Reclamation
By

Deputy Commissioner

JLA
Encl.

R-679

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. B-679

Boise, Idaho, August 31, 1940

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 fourth ~~third~~ page.

JAMES SPOFFORD

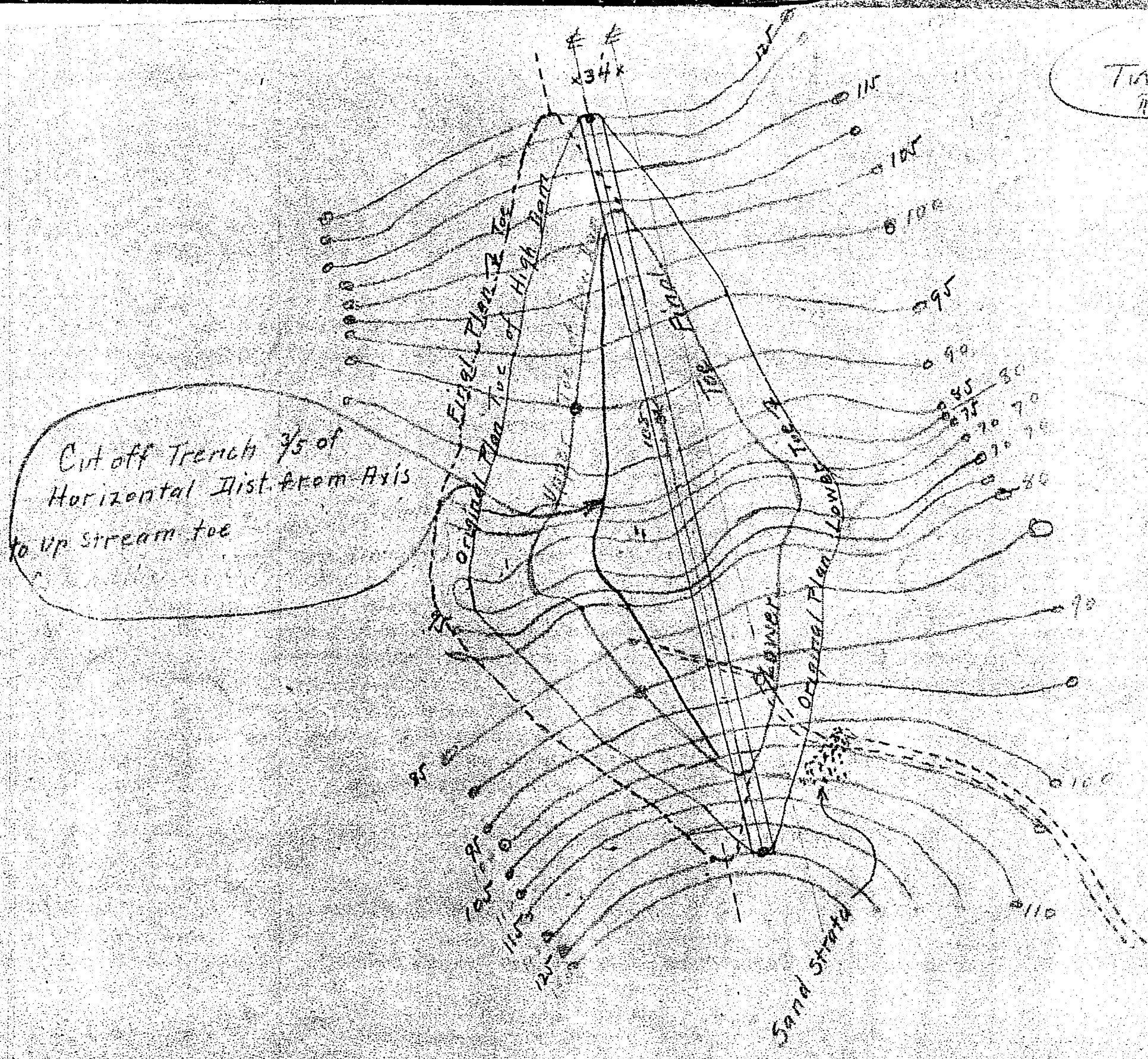
TWIN LAKES CANAL COMPANY
C/o J. J. Sanford, Manager,
Preston, Idaho

Commissioner of Reclamation.

B 679

Twin Lakes C.C.
Res #2

E-6 19



Permit R-679

September 24, 1940

Mr. J. J. Sanford
Preston, Idaho

Dear Mr. Sanford:

Upon further consideration of the subject of the proposed dam for the Twin Lakes Canal Company, Reservoir # 2, and some study of the plans thereof since my return to the office, a few thoughts have occurred which I am transmitting as an extension of our conversation and inspection of the damsite upon the 19th inst.

It strikes me that instead of locating the first section of the dam (i.e. to Elev. 103) so as to bring the lower toe at the location indicated upon the cross section plan now on file, it would be better to build upon the center line as shown for the higher (55 ft.) dam. This would locate the axis of the dam 36 ft., further up stream than would be the case if the original plan were to be followed. This plan would mean moving the final dam that much further away from the sand strata disclosed in the cut for the Inlet and Outlet canal in the hillside immediately below the dam. Then if and when the dam were raised to the 55 foot height it would appear that the safest procedure would be to place most if not all additional material upon the upper side of the first lift. However, such later addition would then move the axis up stream a distance of 24 feet and in such event were a cutoff trench to be located beneath the axis of the lower dam it would be too far below the center line of the final structure.

With this thought in mind it would appear to me that so far as a cutoff trench is concerned it would best fit all present and future plans if it were to be located beneath the upper slope at such points as would afford it coverage ranging from a maximum of 20 feet in the deeper part of the dam to a minimum of four or five at the ends. This could be accomplished by staking it out at any three fifths distance from axis to toe of slope. As regards those creeks in the exposed surface, it is evident that they are not of uniform depth, those located approximately between stations two plus seventy and three plus thirty being much wider and consequently deeper than those showing elsewhere over the damsite. In this connection care should be taken that the cutoff trench be excavated to a depth below the bottom of the shocks wherever that may prove to be along its course.

R-679

I am enclosing a sketch showing the general trench location which would be necessary if located beneath the slope and extended to the water line elevation.

Mr. Spofford will be out of town for several days and the foregoing is offered at this time only as tentative suggestion.

With personal regards, I am,

Very truly yours,

JAMES SPOFFORD,
Commissioner of Reclamation

By Fred A. Tolan
Field Engineer

FAT/mr

K-63

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, June 1, 1945

Twin Lakes Canal Co.
C/o J. J. Sanford, Mgr.
Preston, Idaho

Dear Sir:

We enclose herewith blank notice for proof/of completion of works and application of water to beneficial use under your Permit No. R-679. This should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make proof, in order to allow time for the four weeks' publication required by law.

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 August 27, 1945 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 is due and the date proof is actually made.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

R-679

Office Of

Twin Lakes Canal Company

Preston, Idaho

June 3, 1945

Mr. Mark R. Kulp
State Reclamation Engineer
Boise, Idaho

Dear Mr. Kulp:

Your letter containing blank notice for completion of works on dam under Permit No. R-679, received.

The dam is only about one-half completed due to labor shortage, the inability to get the proper machinery, and unexpected failure of our canals in the past few years. As a result, we would like to get an extension of time for as long a period as possible as the cost of our other canal improvements are high, machinery is scarce, and we are having trouble in spreading our assessments to cover all work needed.

Please advise me if you have special forms to be used for asking for an extension, and if not what procedure we follow in making such a request.

Very truly yours,

TWIN LAKES CANAL COMPANY

J. J. Sanford

J. J. Sanford, Manager

RECEIVED
JUL 5
Department of Reclamation

R-679

June 6, 1945

Re: Permit No. R-679

Mr. J. J. Sanford, Manager,
Twin Lakes Canal Company,
Preston, Idaho

Dear Mr. Sanford;

We acknowledge receipt of your letter of June 3rd, in which you request an extension of time for completion of works under your Permit No. R-679.

We enclose herewith a summary of Senate Bill No. 13 passed by the 1945 legislature and also a form of application for extension under the provisions of this bill.

As you will note, this calls for the publication of a notice once a week for two consecutive weeks in a newspaper in the county where the water is located. This notice will be made out in this department, in form similar to the enclosed.

In returning the application for extension, please also return Form No. 11, which is your authorization for us to have the notice published at your expense in the designated newspaper.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encls.

R-679

Form No. 11

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) June 24, 1945

(P. O.) Preston, Idaho

TO THE STATE RECLAMATION ENGINEER ~~COMMISSIONER OF RECLAMATION~~

Boise, Idaho.

Dear Sir:

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

Twin Lakes Canal Co.
by J. L. Sandford, Mgr.

(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.

R-679

PERMIT NO. R-679

APPLICATION FOR EXTENSION OF TIME FOR COMPLETION OF WORKS
UNDER SENATE BILL NO. 13, SESSION LAWS OF 1945.

STATE OF IDAHO)
(
County of Franklin)

Twin Lakes Canal Company of Preston, State of Idaho, being first duly sworn, upon his oath deposes and says:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. R-679

That under the terms and conditions of said Permit, completion of works thereunder is required by August 27, 1945.

That he has heretofore in good faith performed the following work and taken the following steps to bring about the completion of the said works described under the said permit, to-wit:

About one half of the total yardage in the dam is in place as well as the outlet pipe and gate installed. 2½ miles of power line constructed, and pump of 5½ cu. ft. installed.

That he is unable to complete the remainder of said works and submit proof of completion of works within the required time, for the following reasons, to-wit:

Scarcity of labor, machinery and inability to purchase pump of required capacity.

Wherefore, he makes application to the State Reclamation Engineer to extend the time for Completion of Works under the said permit to August 27, 1949, pursuant to the provisions of Senate Bill No. 13, Session Laws of 1945.

Twin Lakes Canal Co.
by J. C. Sandford, Mgr.

Subscribed and sworn to before me this 25 day of January, 1945

Notary Public for Idaho
Residing at Preston, Idaho

My commission expires
Jan 22, 1946

Date of receipt at office of Department of Reclamation June 26, 1945

R-679

PERMIT NO. R-679

APPLICATION FOR EXTENSION OF TIME FOR COMPLETION OF WORKS
UNDER SENATE BILL NO. 13, SESSION LAWS OF 1945.

STATE OF IDAHO)
(
County of Franklin)

Twin Lakes Canal Company of Preston, State of Idaho, being first duly sworn, upon his oath deposes and says:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. R-679

That under the terms and conditions of said Permit, completion of works thereunder is required by August 27, 1945.

That he has heretofore in good faith performed the following work and taken the following steps to bring about the completion of the said works described under the said permit, to-wit:

About one half of the total yardage in the dam is in place as well as the outlet pipe and gate installed, 2½ miles of power line constructed, and pump of 5½ cu. ft. installed

That he is unable to complete the remainder of said works and submit proof of completion of works within the required time, for the following reasons, to-wit:

Scarcity of labor, machinery and inability to purchase pump of required capacity.

Therefore, he makes application to the State Reclamation Engineer to extend the time for Completion of Works under the said permit to August 27, 1949, pursuant to the provisions of Senate Bill No. 13, Session Laws of 1945.

Twin Lakes Canal Co
by J. J. Sandford Mgr.

Subscribed and sworn to before me this 25 day of June, 1945

[illegible]
Notary Public for Idaho
Residing at Preston, Idaho

My commission expires
Jan 22, 1946

Date of receipt at office of Department of Reclamation June 26, 1945

R-679

Office Of

Twin Lakes Canal Company

Preston, Idaho

June 25, 1945

Mr. Mark R Sulp.
State Reclamation Engineer,
Boise, Idaho.

Dear Mr Sulp;

Enclosed find forms requesting a four year extension for completion of work under Permit No. R-679.

Very truly yours.
Twin Lakes Canal Co.
by L. L Sanford Mgr.

July 20

230 am

RECEIVED
JUN 28 19[illegible]
Department of Reclamation

R-679

June 27, 1945

Re: Permit No. R-679

Mr. J. J. Sanford, Manager,
Twin Lakes Canal Company
Preston, Idaho

Dear Mr. Sanford:

We acknowledge receipt of your letter of June 25th, enclosing application for extension of time for completion of works under your Permit No. R-679; also authorization to have the notice in connection therewith published in the Preston Citizen.

We have set July 20th, at 11:00 A.M., as the time for the hearing, and have sent a copy of the notice to the newspaper, with instructions to publish it once a week for two consecutive weeks prior to that time, and to send you the affidavit of publication, together with bill for cost of publishing.

It will not be necessary for you to appear at the hearing, but if there are no protests the application will be approved, upon receipt from you of the affidavit of publication. Should there be any protests, you will be duly notified.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

A Chief Clerk

R-679

NOTICE FOR PUBLICATION

NOTICE OF APPLICATION FOR EXTENSION OF TIME FOR COMPLETION OF WORKS UNDER SENATE BILL NO. 45, SESSION LAWS OF 1945

Notice is hereby given, that on the ~~20th~~ day of ~~July~~ 1945, at 11:00 o'clock, A. M., a hearing will be held by the State Reclamation Engineer, or his deputy, at ~~Room 107 State House, Boise~~, County of ~~Ada~~, State of Idaho, for the purpose of receiving any protests, testimony and evidence regarding an application for extension of time for completion of works under Permit to Appropriate the Public Waters of the State of Idaho, No. ~~R-679~~. The said protests and evidence may be submitted either orally or by affidavits by any person or persons owning or in possession of a right to the use of any waters of a stream or source of supply affected by the said extension.

1. The number of said Permit is ~~R-379~~

2. The name and post-office address of the person or persons or corporation holding said permit or permits are:

~~Twin Lakes Canal Company, Preston, Idaho~~

3. The amount of water claimed by the said permit or permits is ~~2,300 acre feet per annum~~ from ~~Mink Creek~~ which is tributary to ~~Bear River~~

MARK R. KULP
State Reclamation Engineer

R-679

Form No. 11-A

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE

Re: Permit No. R-679

Date . June 27, 1945 . .

The Preston Citizen

Preston, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for two consecutive weeks prior to July 20, 1945 the date set for hearing, the expense of the publication to be paid by the applicant,

Twin Lakes Canal Co., C/o J. J. Sanford, Manager, Preston, Idaho

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

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

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By

Chief Clerk

R-679

Preston **The Preston Citizen** Idaho

Gentlemen: We are pleased to acknowledge receipt of the "notice for publication" which will be inserted first time on July 5.

W.F. McKnight

L-679

PRES... IDAHO
JUN 29
4-PM
1915

THIS SIDE OF CARD IS FOR ADDRESS

RECEIVED
JUL 2 1945
Department of Reclamation

Idaho State Dept. of

RECLAMATION

Boise, Idaho

Pub. Cost. two issues, 40 lines
Total 12.00

PAID

AFFIDAVIT
OF PUBLICATION

I, W. J. MacKnight

Printer of The Preston Citizen, a newspaper published weekly at Preston, Franklin County, Idaho, do solemnly swear that the notice as per clipping attached was published in the regular and entire issue of said newspaper, and not in any supplement thereof for

two consecutive weeks, commencing with the issue dated

June 27, 1945

and ending with the issue dated,

July 5, 1945

W. J. MacKnight

Signature

Subscribed and sworn to before me this 20 day of

July, 1945

(SEAL) Notary Public.

Preston, Idaho

My commission expires:

~~July~~ May 1, 1947

RECEIVED
JUL 23 1945
Department of Reclamation

R-679

NOTICE FOR PUBLICATION

NOTICE OF APPLICATION FOR EXTENSION OF TIME FOR COMPLETION OF WORKS UNDER SENATE BILL NO. 93, SESSION LAWS OF 1943.

Notice is hereby given, that on the 20th day of July 1945, at 11:00 o'clock, A. M., a hearing will be held by the State Reclamation Engineer, or his deputy, at Room 107 State House, Boise, County of Ada, State of Idaho, for the purpose of receiving any protests, testimony and evidence regarding an application for extension of time for completion of works under Permit to Appropriate the Public Waters of the State of Idaho, No. R-679. The said protests and evidence may be submitted either orally or by affidavits by any person or persons owning or in possession of a right to the use of any waters of a stream or source of supply affected by the said extension.

1. The number of said Permit is R-679.

2. The name and post-office address of the person or persons or corporation holding said permit or permits are: Twin Lakes Canal Company, Preston, Idaho.

3. The amount of water claimed by the said permit or permits is 2,300 acre feet per annum from Mink Creek which is tributary to Bear River.

6-6-19

MARK R. KULP
State Reclamation Engineer
26-27

APPROVAL OF STATE RECLAMATION ENGINEER

WHEREAS, Application for extension of time for Completion of Works under Permit to store and appropriate the public waters of the State of Idaho, No. R-679, has been made by the owner thereof, Twin Lakes Canal Company, through its Manager, J. J. Sanford, of Preston, Idaho, which application was duly advertised for a period of two consecutive weeks in the Preston Citizen, stating that on the 20th day of July, 1945, a hearing would be held for the purpose of receiving any protests, testimony or evidence regarding such application; and,

WHEREAS, At the time set for the hearing no protest, testimony or evidence had been presented, either orally or by affidavit; and,

WHEREAS, It appears that the owner of said permit is entitled to a further extension of time within which to complete work:

NOW, THEREFORE, I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, by virtue of authority vested in me under Chapter 12 (Senate Bill 13) of the 1945 Session Laws, hereby extend the time for completion of works under Permit to appropriate and store the public waters of the State of Idaho No. R-679, to August 27, 1949.

WITNESS MY HAND this 23rd day of July, A. D. 1945.

Mark R Kulp

MARK R. KULP
State Reclamation Engineer

R-679

July 23, 1945

Re: Permit No. R-679

Mr. J. J. Sanford, Manager,
Twin Lakes Canal Company,
Preston, Idaho

Dear Mr. Sanford:

We enclose herewith the approval of the State Reclamation Engineer of the application of the Twin Lakes Canal Company for extension of time to August 27, 1949, for completion of works under the above numbered permit.

This should be attached to the original permit, of which it now forms a part.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encls.

R-679

September 13, 1945

Re: Permit No. P-679

The Preston Citizen
Preston, Idaho

Gentlemen:

We return herewith Affidavit of Publication of notice of application for extension of time for completion of works by the Twin Lakes Canal Company, together with your statement of publication costs amounting to $6.15.

No doubt this was sent to this department by mistake, as office letter transmitting the notice for publication advised that the affidavit of publication was to be sent to Mr. J. J. Sanford, Manager of the Twin Lakes Canal Company, who would pay the cost of publication; and since then we have received from him the affidavit, and the publication cost of $6.00 is marked "Paid W.F.M."

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
CC to J. J. Sanford

P-679

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

June 1, 1949

Twin Lakes Canal Co.
C/o J. J. Sanford, Manager
Preston, Idaho

Dear Sir:

We enclose herewith blank notice for proof of/completion of works and application of water to beneficial use under your Permit No. R-679. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

This 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 not later than August 27, 1949, and if proof is submitted later than said date, your priority will be brought down a length of time equal to the time elapsing between the date the proof is due and the date proof is actually made.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

R-679

Law
Offices
O. R. Baum
Pocatello
Idaho

RECEIVED
JUN 17 1949
Department of Reclamation

June 16, 1949

Mr. Mark R. Kulp
State Reclamation Engineer
State House
Boise, Idaho

Re: Application No. 26469
Permit No. R 679 - Twin Lakes
Canal Company, Preston, Idaho

My dear Kulp:

The Twin Lakes Canal Company has until August 27, 1949, to submit proof, and I have been hoping to visit Boise to discuss with you one or two phases before going forward.

The Application for Permit provides, among other things, as follows:

> "The purpose of this reservoir is to store water which we have been using in the early part of the seasons. This will enable us to make a more uniform delivery of water throughout the season and a more beneficial use."

It appears that what the company was doing before the reservoir was constructed was this: As long as the high waters remained in the river, the same were taken out and put upon the lands even to the extent of flooding the lands; and, since the reservoir was constructed, this water has been stored and utilized more beneficially and throughout the season.

T he question in the minds of the officials of the Twin Lakes Canal Company is this: Will they be able by making proof under the Permit to obtain the same date of priority that they had at the time they were flooding the lands instead of storing the waters?

You may advise.

Very truly yours,

O R Baum

ORB:eh

O. R. BAUM

R-679

June 17, 1949

Mr. O. R. Baum
Attorney at Law
Pocatello, Idaho

Re: Permit No. R-679
Twin Lakes Canal Company.

Dear Mr. Baum:

Answering your query of June 16, 1949, on the above Permit:

The Statutes relating to permits do not provide for a priority earlier than the date of receipt of the application for permit.

The Twin Lakes Canal Company has a decreed right from Mink Creek for 300 c.f.s. priority April 1, 1901, from September 30th to the following May 1st of each year "for use and storage in said Company's reservoir or reservoirs." This 300 c.f.s. is more than the present capacity of the canal and the priority of the storage should be of little moment.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

MRK:bh

R-679

Law Offices
O. R. Baum
Pocatello, Idaho

In each of the cases above referred to it was very evident from the record that it was never the intention of the party who had utilized the water and subsequently made application for a license, to do other than to make a record title of his water right, or obtaining the benefit of the Doctrine of Relation as to water utilized during the years that the terms of the application were being complied with.

You should, gentlemen, in my opinion, make proof under your application and I have prepared, what I deem an appropriate statement, to be placed in your Notice of Proof of Completion of Works, a copy of such statement being attached hereto.

Very truly yours,

O. R. BAUM

ORB:b
Encl.

E-675

Law Offices
O. R. Baum
Pocatello, Idaho

July 7, 1949

[illegible] Lakes Canal Company
[illegible]nton, Idaho

Gentlemen:

You have inquired as to the advisability of submitting proof so as to complete Application of Water to Beneficial Use, as described in permit No. R-679, and also as to whether or not by submitting proof in support of such application if the same would constitute an election, thereby causing you to lose your early date of priority and the taking of a date as of the day of your application, and in this connection may I say that in my opinion you would not lose your early date of priority by the submission of proof in support of your application, which bears the date as of the 27th day of August, 1940.

I find, by checking the authorities, that the Supreme Court of the State of Idaho has passed upon the matter several times, although in only one instance where the facts were identical. In the case of Joyce v. Ruben, 23 Idaho 296, the court was discussing the legal effect of posting and filing for record location notices of water, notwithstanding that such party had many years prior thereto constructed ditches and diverted the waters and irrigated certain lands, and the court concluded the matter thusly:

> "The posting of such notices in no way deprived them of the date of priority to which they were entitled under their actual appropriation of such water."

In the case of Newport Water Company v. Kellogg, 31 Idaho 574, the Supreme Court of Idaho put the matter thusly:

> "By obtaining the issuance of a water license the appropriator does not waive any rights he may have had previously through actual diversion and application to a beneficial use."

R-679

Form 36

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at _____ M. on the _____ day of July, 1949, at Preston County of Franklin State of Idaho, State of Idaho, before Ray C. Bright, Notary Public for the/ proof will be submitted of the completion of works for the diversion of 300 cubic feet per second of the waters of Mink Creek (as referred to in/ Right 469 in the Decree Utah Power & Light Co. vs. Last Chance Canal Co.) and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. R-679 heretofore issued by the State Reclamation Engineer of the State of Idaho.

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

2. 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 use, in accordance with the plans accompanying the application for such permit, is 300 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 300 cubic feet per second.

4. The place where said water is used is as shown in Application No. 26469

5. The date of priority which said user is prepared to establish is as of April 1, 1901, in accordance with the terms of that decree entered in the District Court of the United States for the District of Idaho, Eastern Division, in equity number 203, and for record purposes as of the 27th day of August, 1940.

_____
State Reclamation Engineer

R-679

July 8, 1949

Mr. Mark R. Kulp
State Reclamation Engineer
State House
Boise, Idaho

Re: Permit No. R-679 - Twin Lakes Canal Company
(Storage)

Dear Mr. Kulp:

Subjoined hereto you will find form No. 11 in duplicate, also form 36. I have taken the liberty of filling out form 36 and call your particular attention to paragraph number 5.

I prepared for the Twin Lakes Canal Company an opinion, of which I enclose a copy.

Today, while discussing this matter with the directors of the Twin Lakes Canal Company, I was shown Application No. 27706, Permit No. R-793, Preston-Whitney Irrigation Company, and this application has a recital something similar to the recital that I was hoping to obtain ultimately for the Twin Lakes Canal Company.

You have, of course, on file a copy of the final Decree known as "Utah Power & Light Company -Last Chance Canal" suit, and if you will refer to Page 104, right No. 469, you will note the following recital therein:

> "Between the dates of May 1st and September 30th of each year, said Company shall be entitled to divert any surplus above the prior rights of other claimants from such stream ° ° °."

The Twin Lakes Canal Company, before it constructed its reservoir, delivered surplus water to its stockholders and being that they could not store the same the stockholders were advised to soak their lands and this surplus water was utilized in that manner.

Law Offices
C. R. Baum
Pocatello
Idaho

R-679

I realize, Mr. Kulp, that you cannot grant us a right other than of August 27, 1940, but we are very desirous of maintaining it fact, namely, tying in the present application and license to be granted thereunder, with the recital in the decree so that it will show that there was no election to abandon our use under the decree.

I anticipate being in Boise and I would like to have the liberty of discussing this further with you and with the Attorney General, Robert Smiley.

You will note the form provides as to the Preston Citizen being the paper.

If this is not sufficient, being that our time is limited, will you call me at my expense?

Very truly yours,

O. R. BAUM

ORB:b
Encls.

R-679

R-679

July 16, 1949

Mr. O. M. Baum
Attorney at Law
Pocatello, Idaho

Re: Permit No. R-679

Dear Judge Baum:

I am enclosing, for your comments, a draft of notice of completion of works and application of water to beneficial use under Permit No. R-679, which is more acceptable to this office than the draft previously submitted.

It is believed that this draft covers your objectives.

Very truly yours,

MARK R. KUIP
State Reclamation Engineer

K:A
Encl.

R-679

Law
Offices
O. R. Baum
Preston
Idaho

RECEIVED
JUL 2[illegible]
Department of Reclamation

July 19, 1949

Mr. Mark R. Kulp
State Reclamation Engineer
Department of Reclamation
Boise, Idaho

Re: Permit No. R-579
Twin Lakes Canal Co.
Preston, Idaho

Dear Mr. Kulp:

This will acknowledge receipt of your letter of July 16th and, in conformance with our conversation of yesterday, I am enclosing original Notice of Proof.

Thanks for your assistance in this matter.

Very truly yours,

O. R. BAUM

eh
ENCS.

R-579

July 21, 1949

Re: Permit No. R-679

Mr. O. R. Baum
Attorney at Law
Pocatello, Idaho

Dear Mr. Baum:

We acknowledge receipt of your letter of July 19, enclosing Notice of Proof of Completion of Works and Beneficial Use under Permit No. R-679 of the Twin Lakes Canal Company.

We have set 10:00 A.M. on the 27th 22nd day of August as the date for making these proofs and have sent a copy of the Notice to the Preston Citizen with instructions to publish it once a week for four consecutive weeks prior to that date, and to send Mr. Sanford the Affidavit of Publication together with statement of costs.

We enclose herewith, the necessary forms of deposition for making these proofs, consisting of one for the Permit Holder and one for each of two witnesses for each proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

R-679

Form No. 11

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) July 7, 1949

(P.O.) Preston Idaho

TO THE STATE RECLAMATION ENGINEER;

Boise, Idaho.

Dear Sir;

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

Twin Lakes Canal Co
by J. L. Crawford, Mgr.

(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

R-679

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M., on the 27th day of August, 1949, at Preston, County of Franklin, State of Idaho, before Ray C. Bright, Notary Public, proof will be submitted of the completion of works for the storage of 2,300 acre feet per annum of water diverted from Mink Creek under Right 469 in the decree Utah Power & Light Co. vs. Last Chance Canal Co., and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. R-679 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Twin Lakes Canal Company, Preston, Idaho.

2. Said works of storage will be fully completed on the date set for such completion, and the amount of water which said works are capable of storing in accordance with the plans accompanying the application for such permit is 2,300 acre feet per annum.

3. The use to which such water has been applied is irrigation, and the amount applied to beneficial use is 2,300 acre feet per annum.

4. The place where such water is used consists of all the lands under the Twin Lakes Canal Company system.

5. The date of priority which said user is prepared to establish under this permit is August 19, 1940, said storage being from water decreed under the terms of that decree entered in the District Court of the United States for the District of Idaho, Eastern Division, in Equity No. 203, with priority date of April 1, 1901.

MARK R. KULP
State Reclamation Engineer

R-679

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Date: July 20, 1949

Re: Permit No. R-679
Twin Lakes Canal Co.

Preston Citizen

Preston, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to August 27, 1949, the date set for proof, the expense of the publication to be paid by the applicant, Twin Lakes Canal Co. of Preston C/o J. J. Sanford, Manager 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,

MARK R. KUIP

State Reclamation Engineer

By

Chief Clerk

R-679

NOTICE OF PROOF OF COMPLETION OF WORKS and APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A.M., on the 27th day of August, 1949, at Preston, County of Franklin, State of Idaho, before Ray C. Bright, Notary Public, proof will be submitted of the completion of works for the storage of 2,300 acre feet per annum of water diverted from Mink Creek under Right 469 in the decree Utah Power & Light Co. vs. Last Chance Canal Co.,

and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. R-679 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Twin Lakes Canal Company, Preston, Idaho.

2. Said works of storage will be fully completed on the date set for such completion, and the amount of water which said works are capable of storing in accordance with the plans accompanying the application for such permit is 2,300 acre feet per annum.

3. The use to which such water has been applied is irrigation, and the amount applied to beneficial use is 2,300 acre feet per annum.

4. The place where such water is used consists of all the lands under the Twin Lakes Canal Company system.

5. The date of priority which said user is prepared to establish under this permit is August 19, 1940, said storage being from water decreed under the terms of that decree entered in the District Court of the United States for the District of Idaho, Eastern Division, in Equity No. 203, with priority date of April 1, 1901.

Mark R. Kulp R-6 11
State Reclamation Engineer

7-22-49 30-33c

Aug. 18, 1949

ON CITIZEN, PRESTON, ID

Lakes Canal Company, Preston,
Idaho.
2. Said works of storage will
be fully completed on the date
amount for such completion, and the
works are of water which said
accordance capable of storing in
with the plans
such permit is the application for
annum. 2,300 acre feet per
3. The use to which such water
has been applied is irrigation,
and the amount applied to bene-
ficial use is 2,300 acre feet per
annum.
4. The place where such water
is used consists of all the lands
under the Twin Lakes Canal
Company system.
5. The date of priority which
said user is prepared to establish
under this permit is August 19,
1940, being the date of
water storage entered in the
said decreed under the terms
decree entered in the United
Court of the District of Idaho,
for the Eastern Division, in Equity No.
State of Idaho, with priority date of April
1, 1901.
Mark R. Kulp
Reclamation Engineer
30-33c

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO IN AND FOR LINCOLN COUNTY

SUMMONS

vs.

NOTICE OF PROOF OF COMPLETION OF WORKS and APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A.M., on the 27th day of August, 1949, at Preston, County of Franklin, State of Idaho, before Ray C. Bright, Notary Public, will be submitted proof of the completion of the works for storage of 2,300 acre feet per annum of water diverted from Mink Creek under Right No. 469 in the name of Twin Lakes Canal Co., and the application of said water, in accordance with the terms and conditions of Permit No. R-679 heretofore issued by the Department of Reclamation of the State of Idaho.

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

IVAN H. THOMPSON
Administrator of the estate of
Hannah Hall Thompson, deceased, and
MERRILL and MERRILL, attorneys for
Administrator, Preston, Idaho
32-35c

Form 16.

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Permit No. R-679

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. J. J. Sanford, Preston, Idaho, 40 South 1st West, St. Manager-Twin Lakes Canal Co., Preston, 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. Twin Lakes Canal Co., Dayton, Idaho (Office, Preston, Idaho)

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

Ans. Permit No. R-679, August 27, 1940 - 1901

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

Ans. From Mink Creek, Franklin County, Idaho, said storage water being from the water decreed under the terms of that decree entered in the District Court of the United States for the District of Idaho, Eastern Division, in equity No. 203, with a priority date of April 1, 1901.

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. Concrete headgate & diversion dam from Mink Creek; Concrete headgate, Main Feeder Canal to Res. No. 2; Main Feeder Canal below Res. No. 2 - 150 c.f.s.; Canal from Res. No. 2 to Main Feeder Canal - 25 c.f.s.; East and West laterals below Res. No. 1 — 50 c.f.s. each.

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 -- approximately 13,000 acres irrigated. All of these lands have been irrigated as shown by the above mentioned decree and this reservoir serves to give a better distribution of the water.

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

Ans.

R-679

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

Ans. .....

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. Same

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

Ans. 2300 acre feet under Permit No. R-679. This being the same water referred to as "stored water", being from the waters decreed under the terms of that decree entered in the District Court of the United States for the District of Idaho, Eastern Division, in equity No. 203, with priority date of April 1, 1901.

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. Other waters in addition to the said stored waters, or all of the waters that said applicant has used and is entitled to use in accordance with the terms of that decree

Ans. No. 203, entered in the case of Utah Power and Light Company vs. Last Chance Canal Company known as right 469 (other than stored waters), and such waters have been used to the capacity of the Twin Lakes Canal, and in addition thereto there has been used 3.83 c.f.s. purchased from the Mink Creek Irrigation Company, number 4 right with a priority of May 1,1882, all of such waters have been used each and every year

(Sign) L. E. Crawford

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 Preston, County of Franklin, State of Idaho, on this 30th day of August, A. D. 19 49.

Ray E. Wright

My commission expires Nov. 18, 1951

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
14	38	12												40	40		40		120
"	"	14									40								40
"	"	22			33.5										35			39	107.5
"	"	23										15.9	24.1				20		60
"	"	26	19	26.9	29	40	38.8	40	35	39.8	39	21.8	30	38.4	40.5	30.3	30.2	34.5	533.2
"	"	25										19	19						38
"	"	34	15.1			9									15.2				39.3
"	"	35	1.6	24.6	36.3	17	40	40	31.9	33.5	40	40	40	40	30	28.3	35.7	30	508.9
"	"	36											40						40
14	39	21					30	40	40										110
"	"	25	20		20	33			20	20	40	40			10	30.5			233.5
"	"	28	5									40	30						75
"	"	29				40					40				20	20	40	40	200
"	"	30		20															20
"	"	32	37.5	40		40							40		40				197.5
14	39	33						30	20	20		40							110
14	40	19											40				30	30	100
"	"	20											30	20					50
"	"	30	30	30		10	30	40											140
15	38	1		25	15		38	35	40		35	40	40	40			15		323
"	"	2	41	36	29	38.3	41.9	31.5	30		40	20	20	40	40	33.9	33.3	40	514.9
"	"	5	10	5											12			28	45
"	"	11	39.2	35.7	35.7	39.8	40	40	39.2	40	40	40	39.1	39.6	28.8	38	39.4	35.9	610.4
"	"	12	10	40	40	35	40	40	40	40	40	40	40	40	40	40	40	40	605
"	"	13	40	40	40	40	40	40	40	40		40	40	40			40		480
"	"	14	35	40	40	32.3	40	40	40	40	38.5	28.5	19.7	40	25.5	37	30	23.5	550
"	"	15	30			27.7									7.6				65.3
"	"	22				35									30			40	105
"	"	23	23.5	30	38	37.1	40	30.5	40	40	40	40	40		16.5	30	40		485.6
"	"	24	24	36	40	13.5	40	40	40	40	40	20	20	40	40	40	40	40	553.5
"	"	25	20	40	40	10	40	40	25	40	40	40	40	40	40	40	40	40	575
"	"	26	15.4				5	30	20		12.2	12.8	30	40	10	21.2	37.2	26	259.8
"	"	27	33			40									31.7			8.2	112.9
"	"	34	2		10									10					22
"	"	35	20	40	30	20	20		25	40	40	10		30	40	40	40	40	435
"	"	36	40	40	40	38	36			40	40		32	39	40	40	40	40	505
15	39	5						41.3	40	30	40	40	40	30		40	10		311.3
"	"	6							20	20	40			20		25	40	10	175
"	"	7		40															40
"	"	18							36.7	21	30.6	36.6	30						154.9
"	"	19										36.2	10						46.2
"	"	30					20					3	30.7	27			15	20	115.7
"	"	31	40	40	40	40	40	32.5	34.8	40	40	34.8	34.7	40	35	30	15	15	551.8
"	"	32										20	20						40
16	38	1			31.9	36.7			30			40	25	28	40	20	40		291.6
"	"	2			37.6	37.5					40	20	24.5	40	40		40		279.6
"	"	10				15													15
"	"	11	20	20			26	40	40	18.7			5	12	30			32.5	244.2
"	"	12	40	40	33.8	40	20		10	30	40	11		33.5	6.3	15.5	26.5	30.7	377.3
"	"	13		6.4	15	40	39.3	8.6		10.4	20					14.7			154.4
"	"	14					18.7	38	35.4	15									107.1
16	39	6							31.6		40	34.6	34.6	40					180.8
"	"	7		30	30		40	34.5		25.4					20	30			209.9

R-679

Total 12,215.10 ACRES

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No.....

Permit No.....

District No.....

1. Name of applicant: .....

Post office address ..... County ..... State.....

I. If applicant is a corporation, give:

(a) Date and place of incorporation. .....

(b) Amount of capital stock: $..... (c) Amount paid in: $.....

(d) Names and addresses of directors: .....

.....

.....

II. The financial resources of the applicant are: (a) Cash on hand: $.....

(b) Treasury stock: ..... (c) Bonds to be issued: .....

(d) Other resources: .....

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

3. Source of water supply: .....

which is tributary of .....

4. Location of point of diversion: ..... feet distant from the ..... corner

of Section ....., T..... R....., B. M., and is in the .....

of Section ....., T..... R....., B. M., County of .....

5. Water is to be used for: .....

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: $.....

8. Kind of works: .....

(Reservoir, dam, ditch, flume, pipe, etc.)

9. Height of dam ..... feet; length of dam at top ..... feet; length of dam at bottom .....

(If height of dam will exceed 10 feet or will store more than 100 acre feet of water, send to Department of Reclamation for Regulations.)

feet; material used in dam .....

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

11. Ditch. Width at bottom ..... feet; Width at water line ..... feet; Depth of water ..... feet;

Dimensions of flume .....; Diameter of pipe ..... inches;

Length of conduit ..... miles. Average grade per mile ..... feet.

Post office address ..... County ..... State.....

I. If applicant is a corporation, give:

(a) Date and place of incorporation. .....

(b) Amount of capital stock: $..... (c) Amount paid in: $.....

(d) Names and addresses of directors: .....

.....

.....

II. The financial resources of the applicant are: (a) Cash on hand: $.....

(b) Treasury stock: ..... (c) Bonds to be issued: .....

(d) Other resources: .....

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

3. Source of water supply: .....

which is tributary of .....

Form 17

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. R-679

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. H. W. Smith 69 Riverdale, Idaho. Farmer-- watermaster
Preston, Idaho Route # 2

Ques. 2. Are you acquainted with Twin Lakes Canal Company, the holder of Permit No. R-679? How long have you known him and where does he reside?

Ans. Ever since the Twin Lakes Canal Company was organized. Operations are at Dayton, Idaho, the business office at Preston, Idaho.

Ques. 3. Have you read or heard read said Permit No. R-679, 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. From Mink Creek, Franklin County, Idaho, said storage water being from the water decreed under the terms of that decree entered in the District Court of the United States for the District of Idaho, Eastern Division in equity No. 205, with a priority date of April 1, 1901.

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. 25 c.f.s.

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 -- approximately 13,000 acres irrigated. All of these lands have been irrigated as shown by the above mentioned decree and this reservoir serves to give a better distribution of the water.

R-679

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

Ans. _____

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. Various kinds - sand, clay, gravel, etc. 2.25 acre feet 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. Yes, I am a stockholder in the Company and irrigate over 14 acres.

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. 2300 acre feet under Permit No. R-679. This being the same water referred to as "stored water", being from the waters decreed under the terms of that decree entered in the District Court of the United States for the District of Idaho, Eastern Division, in equity No. 203, with priority date of April 1, 1901.

(Signed) H W 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 Preston, County of Franklin, State of Idaho, on this 30th day of August, A. D. 19 49.

Ray C Bright
Notary Public.

My commission expires Nov 18, 1951.

Twp.	Range	Sec.	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	Totals
			NE¼				SW¼				SE¼				
14	38	12									40	40	40	40	120
"	14	22					33.5								40
"	"	23					26.9	29	40	38.8	40	35	39.8	15.9	107.5
"	"	26	25	15.1	1.6	24.6	36.3	17	40	30	40	40	20	40	60
"	"	25	34	35	33			9		33					533.2
"	"	34	35	1.6	24.6	36.3		20		25	40	30	40	20	38
"	"	35	33												39.3
"	"	21	20	20											508.9
14	39	25	25	5											40
"	"	28	5												110
"	"	29													233.5
"	"	30													75
"	"	32	37.5	40											200
"	"	35													20
14	39	19													197.5
14	"	20	30	30											110
"	"	1	2	41											100
"	"	10	5												50
"	"	11	39.2	35.7	40										140
"	"	12	10	40	40										323
"	"	13	40	40	40										514.9
"	"	14	35	40	40										45
"	"	15	30												610.4
"	"	22	23.5	30	38										605
"	"	23	24	36	40										480
"	"	24	20	40	40										550
"	"	25	15.4	40	40										65.3
"	"	26	33												105
"	"	27	2												485.6
"	"	34	20	40	40										553.5
"	"	35	20	40	40										575
"	"	36	40												259.8
16	38	1													112.9
"	"	2													22
"	"	10													435
"	"	11													505
"	"	12													311.3
"	"	13													175
"	"	14													40
"	"	15													154.9
"	"	22													46.2
"	"	23													115.7
"	"	24													551.8
"	"	25													40
"	"	26													291.6
"	"	27													279.6
"	"	34													15
"	"	35													244.2
"	"	36													377.3
16	38	1													154.4
"	"	2													107.1
"	"	10													180.8
"	"	11													209.9
"	"	12													
"	"	13													
"	"	14													
"	"	15													
16	39	6													
"	"	7													

TOTAL 12,215.10 ACRES

P-6 49

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No.....

Permit No.....

District No.....

1. Name of applicant: .....

Post office address ..... County ..... State.....

I. If applicant is a corporation, give:

(a) Date and place of incorporation.....

(b) Amount of capital stock: $..... (c) Amount paid in: $.....

(d) Names and addresses of directors: .....

.....

.....

II. The financial resources of the applicant are: (a) Cash on hand: $.....

(b) Treasury stock: ..... (c) Bonds to be issued: .....

(d) Other resources: .....

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

3. Source of water supply: .....

which is tributary of .....

4. Location of point of diversion: ..... feet distant from the ..... corner

of Section ....., T..... R....., B. M., and is in the .....

of Section ....., T..... R....., B. M., County of .....

5. Water is to be used for: .....

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: $.....

8. Kind of works: .....

(Reservoir, dam, ditch, flume, pipe, etc.)

9. Height of dam ..... feet; length of dam at top ..... feet; length of dam at bottom .....

(If height of dam will exceed 10 feet or will store more than 100 acre feet of water, send to Department of Reclamation for Regulations.)

feet; material used in dam .....

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

11. Ditch. Width at bottom ..... feet; Width at water line ..... feet; Depth of water ..... feet;

Dimensions of flume .....; Diameter of pipe ..... inches;

Length of conduit ..... miles. Average grade per mile ..... feet.

Form 17

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. R-679

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. I. H. Nash, age 77, 34 East 1st South, Preston, Idaho . (Farmer)

Ques. 2. Are you acquainted with Twin Lakes Canal Company, the holder of Permit No. R-679? How long have you known him and where does he reside?

Ans. Ever since the Twin Lakes Canal Company was organized. Operations are at Dayton, Idaho, the business office is in Preston, Idaho

Ques. 3. Have you read or heard read said Permit No. R-679, 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. From Mink Creek, Franklin County, Idaho, said storage water being from the water decreed under the terms of that decree entered in the District Court of the United States for the District of Idaho, Eastern Division, in equity No. 203, with a priority date of April 1, 1901.

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. 25 C. F. S.

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 -- approximately 13,000 acres irrigated. All of these lands have been irrigated as shown by the above mentioned decree and this reservoir serves to give a better distribution of the water.

R-679

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

Ans. _____

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. Various kinds - sand, clay, gravel, etc. 2.25 acre feet 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. Yes. I am a stockholder in the Company and irrigate over 300 acres.

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. 2300 acre feet under Permit No. R-679. This being the same water referred to as "stored water", being from the waters decreed under the terms of that decree entered in the District Court of the United States for the District of Idaho, Eastern Division, in equity No. 203, with priority date of April 1, 1901.

(Signed) E H Nash

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 Preston, County of Franklin, State of Idaho, on this 30th day of August, A. D. 19 49.

Ray E Dreyfus
Notary Public.

My commission expires Nov 18, 1951

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
14	38	12												40	40		40		120
"	"	14									40								40
"	"	22			33.5										35			39	107.5
"	"	23										15.9	24.1				20		60
"	"	26	19	26.9	29	40	38.8	40	35	39.8	39	21.8	30	38.4	40.5	30.3	30.2	34.5	533.2
"	"	25										19	19						38
"	"	34	15.1			9									15.2				39.3
"	"	35	1.6	24.6	36.3	17	40	40	31.9	33.5	40	40	40	40	30	28.3	35.7	30	508.9
"	"	36											40						40
14	39	21					30	40	40										110
"	"	25	20		20	33			20	20	40	40			10	30.5			233.5
"	"	28	5									40	30						75
"	"	29				40					40				20	20	40	40	200
"	"	30		20															20
"	"	32	37.5	40		40							40		40				197.5
14	39	33						30	20	20		40							110
14	40	19											40				30	30	100
"	"	20											30	20					50
"	"	30	30	30		10	30	40											140
15	38	1		25	15		38	35	40		35	40	40	40			15		323
"	"	2	41	36	29	30.3	41.9	31.5	30		40	20	20	40	40	33.9	33.3	40	514.9
"	"	10	5												12			28	45
"	"	11	39.2	35.7	35.	39.8	40	40	39.2	40	40	40	39.1	39.6	26.6	38	39.4	35.9	610.4
"	"	12	10	40	40	35	40	40	40	40	40	40	40	40	40	40	40	40	605
"	"	13	40	40	40	40	40	40	40	40		40	40	40			40		480
"	"	14	35	40	40	32.3	40	40	40	40.	38.5	28.5	19.7	40	35.5	37	30	23.6	550
"	"	16	30			27.7									7.6				65.3
"	"	22				35									30			40	105
"	"	23	23.5	30	38	37.1	40	30.5	40	40	40	40	40		16.5	30	40		405.6
"	"	24	24	36	40	13.5	40	40	40	40	40	20	20	40	40	40	40	40	553.5
"	"	25	20	40	40	10	40	40	25	40	40	40	40	40	40	40	40	40	575
"	"	26	16.4				5	30	20		12.2	12.8	30	40	10	21.2	37.2	26	259.8
"	"	27	33			40									31.7			8.2	112.9
"	"	34	2		10									10					22
"	"	35	20	40	30	20	20		35	40	40	10		30	40	40	40	40	435
"	"	26	40	40	40	38	36			40	40		32	39	40	40	40	40	505
15	39	5						41.3	40	30	40	40	40	30		40	10		311.3
"	"	6							20	20	40			20		25	40	10	175
"	"	7		40															40
"	"	18							36.7	21	30.6	36.6	30						154.9
"	"	19										36.2	10						46.2
"	"	30					20					3	30.7	27			15	20	115.7
"	"	31	40	40	40	40	40	32.5	34.8	40	40	34.8	34.7	40	35	30	15	15	551.8
"	"	32										20	20						40
16	38	1			31.9	36.7			30			40	25	28	40	20	40		291.6
"	"	2			37.6	37.5					40	20	24.5	40	40		40		279.6
"	"	10				15													15
"	"	11	20	20			26	40	40	18.7			5	12	30			32.5	244.2
"	"	12	40	40	33.8	40	20		10	30	40	11		33.5	6.3	15.5	26.5	30.7	377.3
"	"	13		6.4	15	40	39.3	8.6		10.4	20					14.7			154.4
"	"	14					18.7	38	35.4	15									107.1
16	39	6							31.6		40	34.6	34.6	40					180.8
"	"	7		30	30		40	34.5		25.4					20	30			209.9

Total Number of Acres to be irrigated 12,215.10

14-A. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are .....

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No.....

Permit No.....

District No.....

1. Name of applicant: .....

Post office address ..... County ..... State.....

I. If applicant is a corporation, give:

(a) Date and place of incorporation. .....

(b) Amount of capital stock: $..... (c) Amount paid in: $.....

(d) Names and addresses of directors: .....

.....

.....

II. The financial resources of the applicant are: (a) Cash on hand: $.....

(b) Treasury stock: ..... (c) Bonds to be issued: .....

(d) Other resources: .....

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

3. Source of water supply: .....

which is tributary of .....

4. Location of point of diversion: ..... feet distant from the ..... corner

of Section ....., T..... R....., B. M., and is in the .....

of Section ....., T..... R....., B. M., County of .....

5. Water is to be used for: .....

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: $.....

8. Kind of works: .....
(Reservoir, dam, ditch, flume, pipe, etc.)

9. Height of dam ..... feet; length of dam at top ..... feet; length of dam at bottom .....
(If height of dam will exceed 10 feet or will store more than 100 acre feet of water, send to Department of Reclamation for Regulations.)

feet; material used in dam .....

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

11. Ditch. Width at bottom ..... feet; Width at water line ..... feet; Depth of water ..... feet;

Dimensions of flume .....; Diameter of pipe ..... inches;

Length of conduit ..... miles. Average grade per mile ..... feet.

(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: $.....

8. Kind of works: .....
(Reservoir, dam, ditch, flume, pipe, etc.)

9. Height of dam ..... feet; length of dam at top ..... feet; length of dam at bottom .....
(If height of dam will exceed 10 feet or will store more than 100 acre feet of water, send to Department of Reclamation for Regulations.)

feet; material used in dam .....

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

11. Ditch. Width at bottom ..... feet; Width at water line ..... feet; Depth of water ..... feet;

Dimensions of flume .....; Diameter of pipe ..... inches;

Length of conduit ..... miles. Average grade per mile ..... feet.

Form 15-R

Permit No. R-679

Proof of Completion of Works

DEPOSITION OF HOLDER

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

Ans. J. J. Sanford 405 1st W St. Preston, Idaho Manager

Ques. 2. If acting on 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. Twin Lakes Canal Co. Dayton, Idaho Manager
Office Preston, Idaho

Ques. 3. State number and date of permit, acre feet of water you claim for storage, and source of same.

Ans. No. R 679 2300 Acre Ft. Mink Creek, said storage being from water decreed under the terms of that decree entered in the District Court of the United States for the District of Idaho, Eastern Division, in Equity No. 203, with priority date of April 1, 1901.

Ques. 4. Under terms of permit construction was required to be completed by August 27, 1945 Ex. to Aug. 27 19 49.

Ques. 5. Construction was actually completed on the date of July 28 19 49

Ques. 6. Does the construction fully comply with the specifications? yes except change of plans to fit conditions

Ques. 7. Of what material was the dam built? Compacted Red Clay

Ques. 8. State whether or not the water has been turned into your reservoir, and if so, when and to what extent.

Ans. Yes-- 1942- 750 Ac Ft. 1944 534 Ac Ft. 1946 680 Ac Ft. 1948 '50 Ac Ft.
1943 730 Ac. Ft. 1945 696 Ac Ft. 1947 700 Ac Ft. 1949 1650 Ac Ft.

Ques. 9. The capacity of the reservoir is 2300 Ac Ft. acre feet.

Ques. 10. The area of the high water line of the reservoir is 117.44 acres.

Ques. 11. The height of the dam above bottom of reservoir is 55 feet, above low water is 40 feet.

Ques. 12. The dimensions of the spillway are No Spillway and the bottom of the spillway is feet below the top of the dam. Use pump for filling above 103 Elevation

Ques. 13. Dimensions of the reservoir outlet are 30" Diameter pipe

Ques. 14. Describe the gate and control unit.

Ans. Hardesty Circular Cast Model 50- 10- 50' Seating pressure
Type I 8 to 1 Hardesty Hoist

Ques. 15. The reservoir outlet is made of 30" Diameter Steel pipe encased in reinforced concrete

Ques. 16. Is the reservoir filled through a feeder canal? yes Part gravity and part by pumpin

Ques. 17. If so, where is the point of diversion for same?

Ans. Sw ¼ SE ¼ Section, 1 Twp. 40 S Range 40 E From Mink Creek
Sw NW 14 14S 39 E from Feeder Canal

R-679

Ques. 18. Does the feeder canal comply with the specifications in the permit? yes

Ques. 19. If not, explain

Ques. 20. Cost of constructing feeder canal? $ 1,000.00 Cost of reservoir? $ 42,465.00 (including pumps)

Ques. 21. State whether or not the works from reservoir outlet to place of use are fully completed, and whether or not they comply with the specifications in permit. If not, explain.

Ans. yes

Ques. 22. Water has (~~has not~~) been delivered to place of intended use? yes

Ques. 23. Give description of dam, state dimensions, and give slope of face both upstream and downstream. Also method and material for protecting against wave action.

Ans. Earth fill Length top 570ft. Length 30 Ft. Top Width 16 ft. Slopes 3 to 1 and 2 to 1. Faced with angular stone near top.

Ques. 24. State the purpose for which the water is to be used and give the place of use, and if for irrigation, state the number of acres, and give the legal description of same.

Ans. Irrigation and the place where such water is used consists od all the lands under the Twin Lakes Canal Company System 13,000 Acres Approx.

			4				NW 1/4				SW 1/4				SE 1/4				Totals
			N½	SW¼	SE¼		NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
		4									40			40	40		40		120
"	"	22			33.5										35			39	107.5
"	"	23										15.9	24.1				20		60
"	"	26	19	26.9	29	40	38.8	40	35	39.8	39	21.8	30	38.4	40.5	30	330	234.5	533.2
"	"	25										19	19						38
"	"	34	15.1			9									15.2				39.3
"	"	35	1.6	24.6	36.5	17	40	40	31.9	33.5	40	40	40	40	30	28.3	35.7	30	508.9
"	"	36											40						40
14	39	21					30	40	40										110
"	"	25	20		20	33			20	20	40	40			10	30.5			253.5
"	"	28	5									40	30						75
"	"	29				40						40			20	20	40	40	197.5
"	"	30		20															20
"	"	32	57.5	40		40							40		40				197.5
14	39	33						30	20	20		40							110
14	40	19											40				30	30	100
"	"	20											30	20					50
"	"	30	30	30		10	30	40											140
15	38	1		25	15		38	35	40		35	40	40	40			15		323
"	"	2	41	36	29	38.3	41.9	31.5	30		40	20	20	40	40	33,9	33.5	40	314.9
"	"	10	5												12			28	45
"	"	11	39.2	35.7	36.7	39.8	40	40	39.2	40	40	40	39.1	39.6	28.8	38	39.4	35.9	610.4
"	"	12	10	40	40	35	40	40	40	40	40	40	40	40	40	40	40	40	605
"	"	13	40	40	40	40	40	40	40	40		40	40	40			40		480
"	"	14	35	40	40	32.3	40	40	40	40	38.5	28.5	19.7	40	25.5	37	30	23.5	550
"	"	15	30			27.7									7.6				65.3
"	"	22				35									30			40	105
"	"	23	23.5	30	38	37.1	40	30.5	40	40	40	40	40		16.5	30	40		485.6
"	"	24	24	36	40	13.5	40	40	40	40	40	20	20	40	40	40	40	40	553.5
"	"	25	20	40	40	10	40	40	25	40	40	40	40	40	40	40	40	40	575
"	"	26	15.4				5	30	20		12.2	12.8	30	40	10	21.	37.2	26	259.8
"	"	27	33			40									31.7			8.2	112.9
"	"	34	2		10									10					22
"	"	35	20	40	30	20	20		25	40	40	10		30	40	40	40	40	435
"	"	36	40	40	40	38	36			40	40		32	39	40	40	40	40	505
15	39	5						41.3	40	30	40	40	40	30		40	10		311.3
"	"	6							20	20	40			20		25	40	10	175
"	"	7		40															40
"	"	18							36.7	21	30.6	36.6	30						154.9
"	"	19										36.2	10						46.2
"	"	30					20					3	30.7	27			15	20	115.7
"	"	31	40	40	40	40	40	32.5	34.8	40	40	34.8	34.7	40	35	30	15	15	551.8
"	"	32										20	20						40
15	38	1			31.9	36.7			30			40	25	28	40	20	40		291.6
"	"	2			37.6	37.5					40	20	24.5	40	40		40		279.6
"	"	10				15													15
"	"	11	20	20			26	40	40	18			5	12	30			32.5	244.2
"	"	12	40	40	33.8	40	20		10	30	40	11		33.5	6.3	15.5	26.5	30.7	377.3
"	"	13		6.4	15	40	39.3	8.6		10.4	20					14.7			154.4
"	"	14					18.7	38	35.4	15									107.1
16	39	6							31.6		40	34.6	34.6	40					180.8
"	"	7		30	30		40	34.5		25.4					20	30			209.9

TOTAL 12215.10

49.9

Ques. 18. Does the feeder canal comply with the specifications in the permit? yes

Ques. 19. If not, explain .....

Ques. 20. Cost of constructing feeder canal? $ Reservoir to main feeder Canal Co. 1,000.00 Cost of reservoir? $ 42,465.00 including pumps

Ques. 21. State whether or not the works from reservoir outlet to place of use are fully completed, and whether or not they comply with the specifications in permit. If not, explain.

Ans. yes

Ques. 22. Water has (~~has not~~) been delivered to place of intended use? yes

Ques. 23. Give description of dam, state dimensions, and give slope of face both upstream and downstream. Also method and material for protecting against wave action.

Ans. Earth fill length top 570ft. Length 30 Ft. Top width 16 ft. Slopes 3 to 1 and 2 to 1. Faced with angular stone near top.

Ques. 24. State the purpose for which the water is to be used and give the place of use, and if for irrigation, state the number of acres, and give the legal description of same.

Ans. Irrigation and the place where such water is used consists of all the lands under the Twin Lakes Canal Company System 13,000 Acres Approx.

TWP	Range	SEC	NE¼ NE¼	NE¼ NW¼	NE¼ SW¼	NE¼ SE¼	NW¼ NE¼	NW¼ NW¼	NW¼ SW¼	NW¼ SE¼	SW¼ NE¼	SW¼ NW¼	SW¼ SW¼	SW¼ SE¼	SE¼ NE¼	SE¼ NW¼	SE¼ SW¼	SE¼ SE¼	Totals
			NE¼				NW¼				SW¼				SE¼				
I4	38	I2												40	40		40		I20
"	"	I4									40								40
"	"	22			33.5										35			39	I07.5
"	"	23										I5.9	24.1				20		60
"	"	26	I9	36.9	29	40	38.8	40	35	39.8	39	2I.8	30	38.4	40.5	30	350	234.5	533.2
"	"	25										I9	I9						38
"	"	34	I5.I			9									I5.8				39.3
"	"	35	I.6	24.6	36.5	I7	40	40	3I.9	33.5	40	40	40	40	30	28.3	335.7	30	508.9
"	"	36											40						40
I4	39	2I					30	40	40										II0
"	"	25	20		20	33			20	20	40	40			I0	30.5			233.5
"	"	28	5									40	30						75
"	"	29				40						40			20	20	40	40	I97.5
"	"	30		20															20
"	"	32	57.5	40		40							40		40				I37.5
I4	39	33						30	20	20		40							IIo
I4	40	I9											40				30	30	I00
"	"	20											30	20					50
"	"	30	30	30		I0	30	40											I40
I5	38	I		25	I6		30	35	40		35	40	40	40			I5		325
"	"	2	4I	36	29	38.3	4I.9	3I.5	30		40	20	20	40	40	33.9	33.8	40	5I4.9
"	"	I0	5												I2			28	45
"	"	II	39.2	35.7	35.7	39.8	40	40	39.2	40	40	40	39.I	39.6	28.8	38	39.4	35.2	6I0.4
"	"	I2	I0	40	40	35	40	40	40	40	40	40	40	40	40	40	40	40	605
"	"	I3	40	40	40	40	40	40	40	40		40	40	40			40		480
"	"	I4	35	40	40	32.3	40	40	40	40	38.5	28.5	I9.7	40	26.5	37	30	23.5	550
"	"	I5	30			27.7									7.6				65.3
"	"	22				35									30			40	I05
"	"	23	23.6	30	38	37.I	40	30.5	40	40	40	40	40		I6.5	30	40		485.6
"	"	24	24	36	40	33.5	40	40	40	40	40	20	20	40	40	40	40	40	553.5
"	"	25	20	40	40	I0	40	40	25	40	40	40	40	40	40	40	40	40	575
"	"	26	I5.4				6	30	20		I2.4	I2.8	30	40	I0	2I.2	37.2	26	259.8
"	"	27	33			40									3I.7			8.2	II2.9
"	"	34	2		I0									I0					22
"	"	35	20	40	30	20	20		25	40	40	I0		30	40	40	40	40	435
"	"	36	40	40	40	38	36			40	40		32	39	40	40	40	40	505
I5	39	5						4I.3	40	30	40	40	40	30		40	I0		3II.3
"	"	6							20	20	40			20		25	40	I0	I75
"	"	7		40															40
"	"	I8							36.7	2I	30.6	36.6	30						I54.9
"	"	I9										36.2	I0						46.2
"	"	30					20					3	30.7	27			I5	20	II5.7
"	"	3I	40	40	40	40	40	32.5	34.8	40	40	34.8	34.7	40	35	30	I5	I5	55I.8
"	"	32										20	20						40
I8	38	I			3I.9	36.7			30			40	25	28	40	20	40		29I.6
"	"	12			37.6	37.5					40	20	24.5	40	40		40		279.6
"	"	I0				I5													I5
"	"	II	20	20			26	40	40	I8			5	I2	30			32.5	244.2
"	"	I2	40	40	33.8	40	20		I0	30	40	II		33.5	6.3	I5.5	26.6	30.7	377.3
"	"	I5		6.4	I5	40	39.3	8.6		I0.4	20					I4.7			I54.4
"	"	I4					I8.7	38	36.4	I5									I07.I
I6	39	6							3I.6		40	34.6	34.6	40					I80.8
"	"	7		30	30		40	34.5		25.4					20	30			209.9

TOTAL 12215.10

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"	"	22				35									30			40	105
"	"	23	23.5	30	38	37.1	40	30.5	40	40	40	40	40		16.5	30	40		485.6
"	"	24	24	36	40	13.5	40	40	40	40	40	20	20	40	40	40	40	40	553.5
"	"	25	20	40	40	10	40	40	25	40	40	40	40	40	40	40	40	40	575
"	"	26	15.4				5	30	20		12.2	12.8	30	40	10	21.2	37.2	26	259.8
"	"	27	33			40									31.7			8.2	112.9
"	"	34	2		10									10					22
"	"	35																	

Office Of

Twin Lakes Canal Company

Preston, Idaho

(Sign here) L. E. Crawford

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 Preston, County of Franklin, State of Idaho, on this 27 day of August A.D. 1949.

Ray C. Bright
Notary Public

My commission expires Nov 18, 1951

Form 14-R

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

Permit No. R-679

Proof of Completion of Works

DEPOSITION OF WITNESS

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

Ans. I. E. Nash 34 E 1st. S Farmer Preston Idaho

Ques. 2. Are you acquainted with Twin Lakes Canal Company, the holder of Permit No. R 679, authorizing the storage of 2300 acre feet of the waters of Mink Creek which is tributary to Bear River, in the County of Franklin, State of Idaho? How long have you known him, and where does he reside?

Ans. Ever since the Twin Lakes Canal Company was incorperated.

Ques. 3. Have you read or heard read said Permit? yes Are you familiar with its terms and conditions? yes

Ques. 4. Of what material and how has the dam been constructed?

Ans. Compacted Red Clay

Ques. 5. Is the reservoir fully constructed? yes Has water been turned into it? yes
And to what extent? 1942-750 Acre Ft.;1943-1947 666 Ac. Ft. 1948-850 Ac Ft. 1949-1850 Ac Ft.
Average

Ques. 6. Where is the point of diversion of the feeder canal?

Ans. SE ¼ SE ¼ Section One, Township 40So. Range 40 East From Mink Creek
SW NW 14 14So. 39East from Ca.

Ques. 7. The outlet of the reservoir is located in the S ¼ NW ¼ Section 14
Twp. 14South Range 39East

Ques. 8. Describe the spillway.

Ans. No Spillway- Reservoir filled by Gravity 750 Acre Ft. Balance Pumped.

Ques. 9. How much below the top of the dam is the bottom of the spillway? Ft.

Ques. 10. State the dimensions of the outlet for the reservoir 30 inch Diameter pipe

Ques. 11. Of what material is the outlet made? Steel pipe encased in reinforced concrete

Ques. 12. How is the outlet gate operated? Type I--8 to 1 Hardesty Hoist

Ques. 13. Of what material has the dam been constructed? Red Clay

Ques. 14. Are the works from the reservoir to place of use fully completed? yes

Ques. 15. Describe these works as they now exist, and give your estimate of their capacity.

Ans. Canal from Reservoir to Main Canal 25 Cu. Ft. S.
Main Twin Lakes Canal 150 CFS

Ques. 16. For what purpose is the water to be used?

Ans. Irrigation

R-679

Ques. 17. If for irrigation purposes, are you acquainted with the land to be irrigated? yes
How much water is required for its profitable cultivation?

Ans 2.25 Acre Ft. Per Acre

Ques. 18. Give the legal description of the land to be irrigated, or the place of use.

Ans. The place where such water is used consists of all the lands under the Twin Lakes Canal Company System

(Sign here) D H Nash

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 Preston, County of Franklin, State of Idaho, on this 27 day of August 19 49.

Ray L Bright
Notary Public

My commission expires 11/18/51

Form 14-R

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

Permit No. R-679

Proof of Completion of Works

DEPOSITION OF WITNESS

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

Ans. Wendell H. Smoth, R.D. #2 Preston, Idaho, (Engineer)

Ques. 2. Are you acquainted with Twin Lakes Canal Company, the holder of Permit No. R679, authorizing the storage of 2300 acre feet of the waters of Mink Creek which is tributary to Bear River, in the County of Franklin, State of Idaho? How long have you known him, and where does he reside?

Ans. 25 Years

Ques. 3. Have you read or heard read said Permit? yes Are you familiar with its terms and conditions? yes

Ques. 4. Of what material and how has the dam been constructed?

Ans. Compacted Red Clay

Ques. 5. Is the reservoir fully constructed? yes Has water been turned into it? yes And to what extent? 1942-750 Ac. Ft.; 1943-1947-668 Ac. Ft. 1948-850 Ac. Ft. 1949-1850 Ac Ft. Average

Ques. 6. Where is the point of diversion of the feeder canal?

Ans. SW ¼ SE¼ SW NW Section 1 14, Township 40 South 14South Range 40 E. 39 E from Mink Creek Main Canal

Ques. 7. The outlet of the reservoir is located in the SW ¼ NW ¼ Section 14 Twp. 14 South Range 39 East

Ques. 8. Describe the spillway.

Ans. No spillway-- Reservoir filled by Gravity 750 Acre Ft. Balance Pumped.

Ques. 9. How much below the top of the dam is the bottom of the spillway? Ft.

Ques. 10. State the dimensions of the outlet for the reservoir 30 inch diameter pipe

Ques. 11. Of what material is the outlet made? Steel pipe encased in reinforced concrete

Ques. 12. How is the outlet gate operated? Dowell 8 to 1 Hardesty Hoist

Ques. 13. Of what material has the dam been constructed? Red Clay

Ques. 14. Are the works from the reservoir to place of use fully completed? yes

Ques. 15. Describe these works as they now exist, and give your estimate of their capacity.

Ans. Canal from Reservoir to Main Canal 25 CFS
Main Twin Lakes Canal 150 CFS

Ques. 16. For what purpose is the water to be used?

Ans. Irrigation

R-679

Ques. 17. If for irrigation purposes, are you acquainted with the land to be irrigated? yes
How much water is required for its profitable cultivation?

Ans 2.25 Acre Ft. per Acre

Ques. 18. Give the legal description of the land to be irrigated, or the place of use.

Ans. The place where such water is used consists of all lands under the Twin Lakes Canal Company System

(Sign here) Lucile H. 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, at my office in Preston, County of Franklin, State of Idaho, on this 27 day of August 19 49.

Notary Public

My commission expires Nov. 18, 1951

Office Of

Twin Lakes Canal Company

Preston, Idaho

STATE OF IDAHO }
COUNTY OF FRANKLIN } SS

I, Lester P. Sears, do solemnly swear that I was the Water Master for the period 1936 to 1942 below Reservoir #1 of the Win Lakes Canal Company, and that to my own personal knowledge, I know that high water from Mink Creek was used as long as available by being sent into the irrigation laterals to its full capacity, and the users of the Twin Lakes Canal Company water were urged to use this early water, and did so, because there was a shortage of water anticipated in the latter part of the season.

Lester P. Sears

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 hat said testimony was subscribed and sworn to before me at my office in Preston, County of Franklin, on this 27th day of August, 1949.

Notary public

My commisson expires Nov. 1, [illegible].

R-679

Office Of

Twin Lakes Canal Company

Preston, Idaho

STATE OF IDAHO }
COUNTY OF FRANKLIN } SS

I. J. J. Sanford, do solemnly swear that I have been the manager of the Twin Lakes Canal Company since 1922, and that to my own personal knowledge, I know that the 2300 acre feet of water claimed for storage in Reservoir #2, just completed, has been used in previous years both above and below the original reservoir #1 of the Twin Lakes Canal Company; during the early part of the season of each year, when water was plentiful, all users were urged to keep watered up, and all streams were increased as there was not enough storage water and water from Mink Crek to complete the season. The users above Reservoir #1 (approximately 2,000 acres) in low water years went as long as 20 days between turns, and the 11,000 acres below Reservoir #1 were required to cut their streams to complete the season. By storing this early water in Reservoir #2, the canals both below and above Reservoir #1 can be kept at a normal flow and distributed through the season with a more beneficial use.

J. J. Sanford

I hereby certify that the foregoing testimony was read to the above subscribor 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 Preston, County of Franklin, on this 27th day of August, 19[illegible].

Ray C. Dredge

Notary Public

My commission expires Nov. 19, 1951

R-679

Office Of

Twin Lakes Canal Company

Preston, Idaho

STATE OF IDAHO }
COUNTY OF FRANKLIN } ss

I, H. W. Smith, do solemnly swear that I was the water master for the past thirty (30) years, above reservoir #1 of the Twin Lakes Canal Company, and that to my own personal knowledge, I know that high water from Mink Creek was used as long as available by being sent into the irrigation laterals to its full capacity, and the users of the Twin Lakes Canal Company water were urged to use this early water, and did so, because there was a shortage of water anticipated in the latter part of the season. I also know to my own knowledge that users above Reservoir #1, in low water years went as long as 20 days between turns in the latter part of the season.

H W 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 at my office in Preston, County of Franklin, on this 27th day of August, 1949.

Notary Public

My commission expires Nov. 18, 1951.

R-679

RECEIVED
AUG 30 1929
Department of Reclamation

August 29, 1929

Mr. Mark R. Kulp
State Reclamation Engineer
Boise, Idaho

Dear Sir:

Re: Permit No. R-679

Subjoined hereto you will find the following:

1. Proof of completion of works - deposition by Sanford.
2. Proof of Completion of workds - deposition by two witnesses - Wendell H. Smith and I. H. Nash.
3. Statements of other partiesnamely, H. W. Smith, J. J. Sanford and Lester H. Sears.
4. Notice of Proof of ompletion of Works.

you will note from the adjoining statements that, while they perhaps have no place in the record, I thought it well to have the same filed along with the other proofs in view of the peculiarity of this particular matter.

Very truly yours,

O. R. BAUM

ORB:RYB
encs.

Law Office
O. R. Baum
Pocatello
Idaho

R-679

August 30, 1949

Re: Permit No. R-679

Mr. O. H. Baum
Attorney at Law
Pocatello, Idaho

Dear Mr. Baum:

We acknowledge receipt of your letter of August 29, enclosing Proofs of Completion of Works under Permit No. R-679 of the Twin Lakes Canal Company, together with Affidavit of Publication in the Preston Citizen.

However, this notice called for Proof of Beneficial Use as well as Completion of Works and it was our understanding that both proofs were to be made at this time.

The necessary forms for making both proofs were sent you, but in case you have misplaced the forms for Beneficial Use Proof, we enclose other forms herein. These should be executed and returned as soon as possible if it is your intention to make Beneficial Use Proof at this time.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

R-679

AFFIDAVIT OF PUBLICATION

I, Alan E. Smith

Printer of The Preston Citizen, a newspaper published weekly at Preston, Franklin County, Idaho, do solemnly swear that the notice as per clipping attached was published in the regular and entire issue of said newspaper, and not in any supplement thereof for four consecutive weeks, commencing with the issue dated July 28 1949 and ending with the issue dated, August 18, 1949.

Alan E. Smith
Signature

Subscribed and sworn to before me this 27th day of August 1949

Ted Larsen
Notary Public

(SEAL)

Fee $14.75

NOTICE OF PROOF OF COMPLETION OF WORKS and APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A.M., on the 27th day of August, 1949, at Preston, County of Franklin, State of Idaho, before Ray C. Bright, Notary Public, proof will be submitted of the completion of works for the storage of 2,300 acre feet per annum of water diverted from Mink Creek under Right 469 in the decree Utah Power & Light Co. vs. Last Chance Canal Co, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. R-679 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Twin Lakes Canal Company, Preston, Idaho.

2. Said works of storage will be fully completed on the date set for such completion, and the amount of water which said works are capable of storing in accordance with the plans accompanying the application for such permit is 2,300 acre feet per annum.

3. The use to which such water has been applied is irrigation, and the amount applied to beneficial use is 2,300 acre feet per annum.

4. The place where such water is used consists of all the lands under the Twin Lakes Canal Company system.

5. The date of priority which said user is prepared to establish under this permit is August 19, 1940, said storage being from water decreed under the terms of that decree entered in the District Court of the United States for the District of Idaho, Eastern Division, in Equity No. 203, with priority date of April 1, 1901.

Mark R. Kulp
State Reclamation Engineer

30-33c

R-679

September 9, 1949

RECEIVED
SEP 1 1 1949
Department of Reclamation

Hon. Mark R. Kulp
Commissioner
Department of Reclamation
State of Idaho
Boise, Idaho

Re: Twin Lakes Canal Company
Permit No. R-679

Dear Kulp:

Referring again to your letter of August 30th may we say that you will find enclosed herewith the following:

1. Proof of application of water to beneficial use.-Deposition of Holder
2. Deposition of two witnesses, each signing individually.

Advise if these are now in proper form.

Very sincerely,

O. R. BAUM

ORB:RYB

encs.

Law Offices
O. R. Baum
Pocatello
Idaho

R-679

September 15, 1949

Re: Permit No. R-679

Mr. O. H. Baum
Attorney at Law
Pocatello, Idaho

Dear Mr. Baum:

We have placed on file, the depositions and affidavit of Publication in the Preston Citizen, all submitted in proof of completion of works and beneficial use under Permit No. R-679 in the name of the Twin Lakes Canal Company.

Before final action is taken in the 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 this Department has but one Field Engineer who makes examinations all over the State.

However, Mr. Tolman, Field Engineer for this Department, will try and contact Mr. Sanford at the time he makes the examination in order that he may arrange to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

CC: Mr. J. J. Sanford.

R-679

April 18, 1950

Re: Permit No. R-679

Mr. J. J. Sanford, Manager
Twin Lakes Canal Company
40 South 1st. West
Preston, Idaho

Dear Mr. Sanford:

We now have on file the report of our Field Engineer on examination for Completion of Works and Beneficial Use under Permit No. R-679.

Therefore, upon receipt of the statutory fee of $5.00 a Certificate of Completion of Works will be issued, also a License for the storage of 2300 acre feet of water from Mink Creek, decreed under the terms of the Decree entered in the District Court of the U.S. for the District of Idaho, Eastern Division, in Equity No. 203.

In this case there is no additional fee in connection with the License as no examination of the land was required.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

R-679

Office Of

Twin Lakes Canal Company

Preston, Idaho

April 22, I950

Mr. Mark R. Kulp
State Reclamation Engineer
Boise, Idaho

Dear Mr. Kulp:

Enclosed find Twin Lakes Canal Company check in the sum of $ 5.00 as fee for Certificate of Completion of Works and License for Storage of 2300 acre feet of water under Permit No. R- 679.

Very truly yours

Twin Lakes Canal Company

J J Sandford Mgr.

RECEIVED
APR 27 1950
Department of Reclamation

R-679

April 29, 1950

Re: Permit No. R-679

Mr. J. J. Sanford, Mgr.
Twin Lakes Canal Company
Preston, Idaho

Dear Mr. Sanford:

We enclose Certificate of Completion of Works, also License and Certificate of Water Right issued under Permit No. R-769, confirming the right of the Twin Lakes Canal Company to store and use 2300 acre feet of the waters of Mink Creek, with point of outlet in the SW¼ NW¼ Section 14, Township 14 South, Range 39 East, B.M. for use on lands within the boundary of the Twin Lakes Canal Company.

We also enclose Departmental Receipt No. 22284 for the $5.00 fee in connection with Completion of Works Proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

R-679

Form 23

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

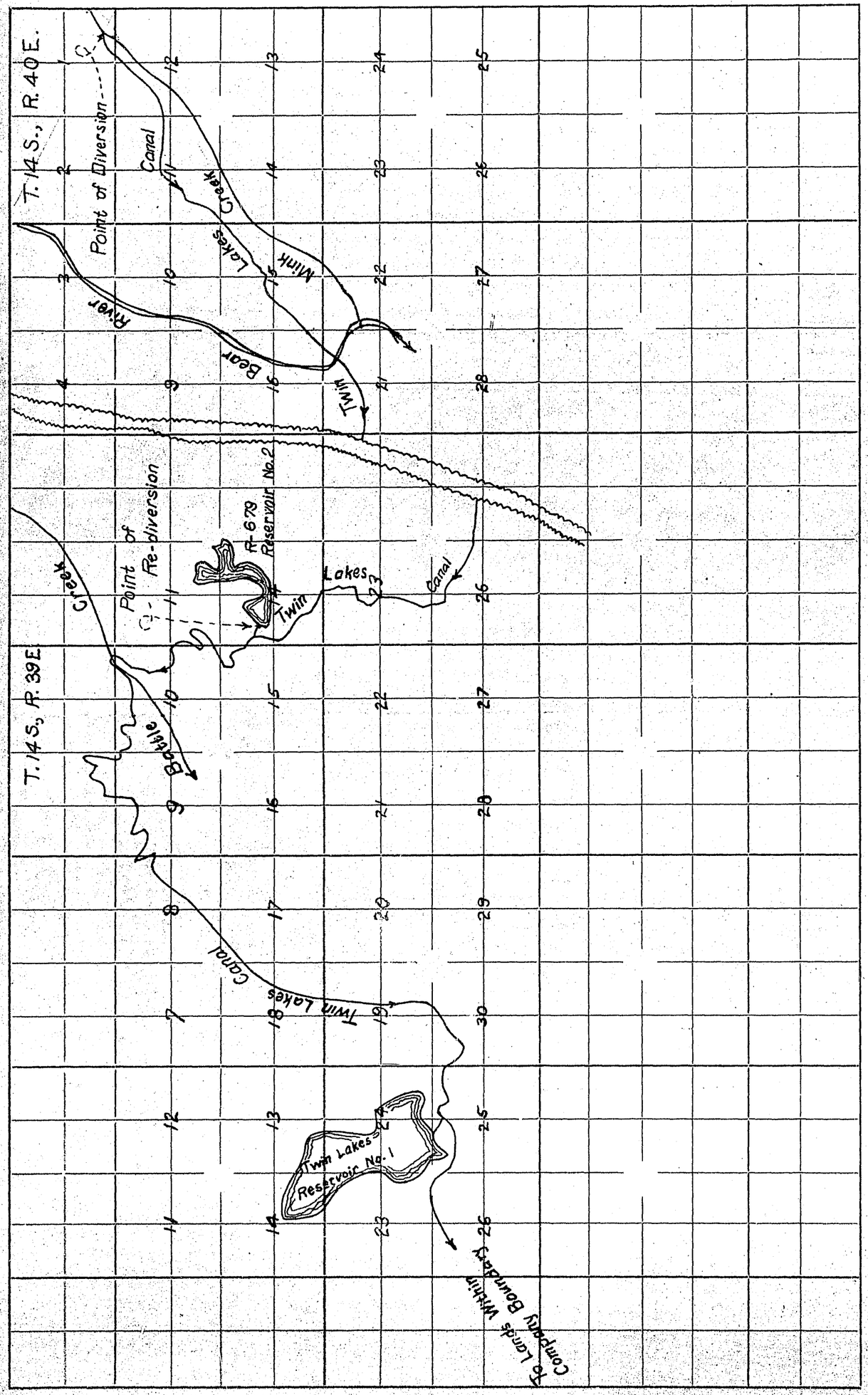
REPORT OF ENGINEER

PERMIT NO. R-679

REPORT ON PROOF OF Completion of works and Beneficial use

app. 2,300 a.f.

R-679



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

Form 23

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. R-679

This proof is for Completion of works and Beneficial use in Water District No.

1. Name of applicant Twin Lakes Canal Company, Preston, Idaho
2. Source of water supply: Mink Creek & tributary, Re diverted in outlet
3. Location of point of diversion: Is in the SW¼ NW¼ of Section 14
   T. 14 S. R. 39 E. County of Franklin
4. Describe works as they exist, giving dimensions and capacities of same: 2300 AF
   An earth dam 55' high, 16' top width, slopes 3:1 and 2:1, crest length of 600'. A short diversion canal of 6' width and 3' depth supplies storage as follows: The lower 15' in the reservoir is delivered by gravity flow and the remaining 20' is raised by pump. Discharge from storage is by reversal of the filling method. Operation equipment includes an 8' x 8' suction sump with a Crocker Wheeler Hendy 50 H.P. motor, 220/440 volts, 124/62 amps, 1170 R.P.M., 3 phase, 60 cycle, NO. 018393146, motor is connected by a 6 V-belt drive to a Byron Jackson 20 M.S.P.R. deep well pump.
5. Water is used for: Irrigation
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 other than irrigation):

   Lands within the boundary of the Twin Lakes Canal Company, consisting of 12,215.10 acres in the following Townships:

   Township 14 South, Range 38 East, B. M.
   " 15 " " " "
   " 16 " " " "
   " 14 " " 39 "
   " 15 " " " "
   " 16 " " " "
   " 14 " " 40 "

   Bear River

   (Submit map on attached plat, showing location and details of above description.)
8. What large stream would the water here appropriated finally reach? Bear River

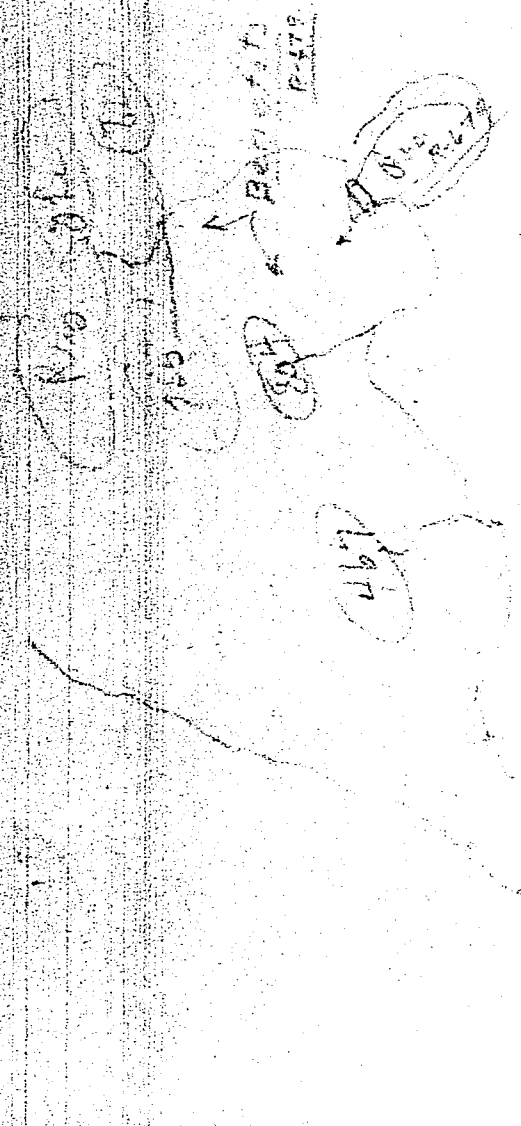
Remarks: A 5' x 5' well for reservoir control valves for the 30" outlet pipe and the 20" inlet pipe for storage which is pumped into the reservoir.
"Reservoir capacity 2300 acre feet"

This examination was made on the 23rd day of September, 19 49

(Signed) F. A. Tolman
Examiner.

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 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.
6. Give general characteristics of soils, topography, and crops raised.



113

Twin Lakes Canal Co.
Preston, Idaho

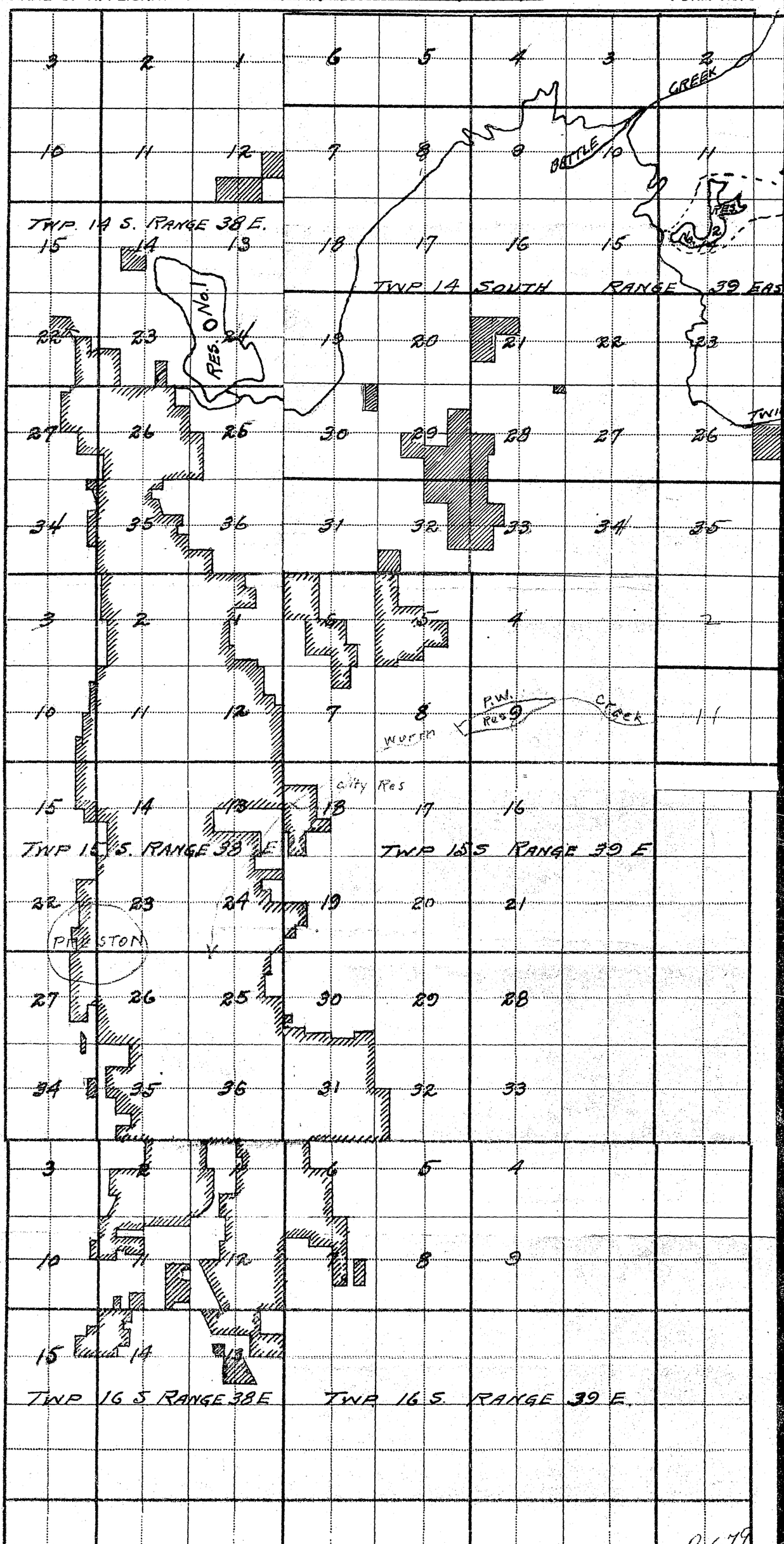
Permit No. R-679

Examination for Conpletion of works and Beneficial use

County Franklin

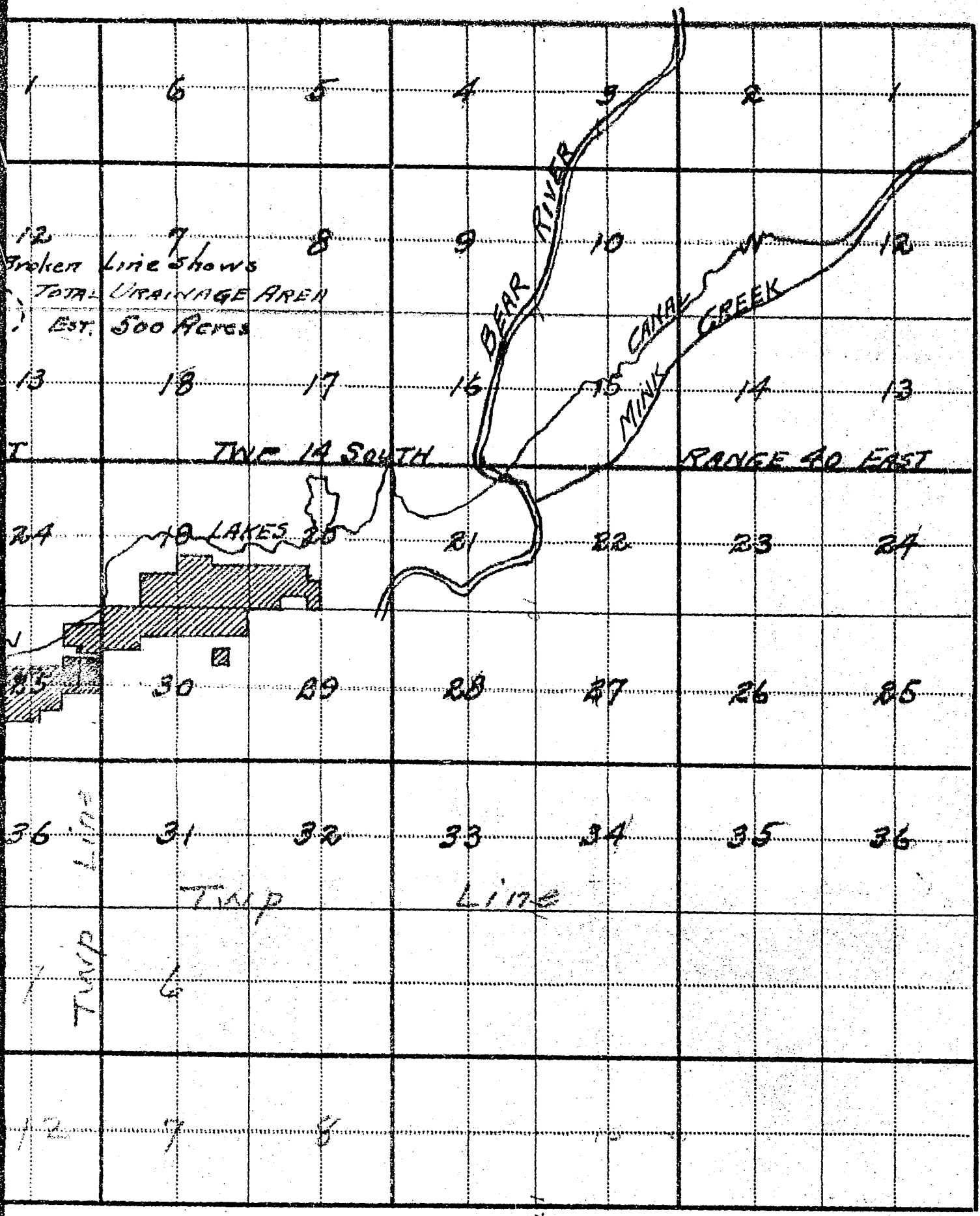
RECEIVED
APR 17 1950
Department of Reclamation

NAME OF APPLICANT TWIN LAKES CANAL Co. FORM No. O



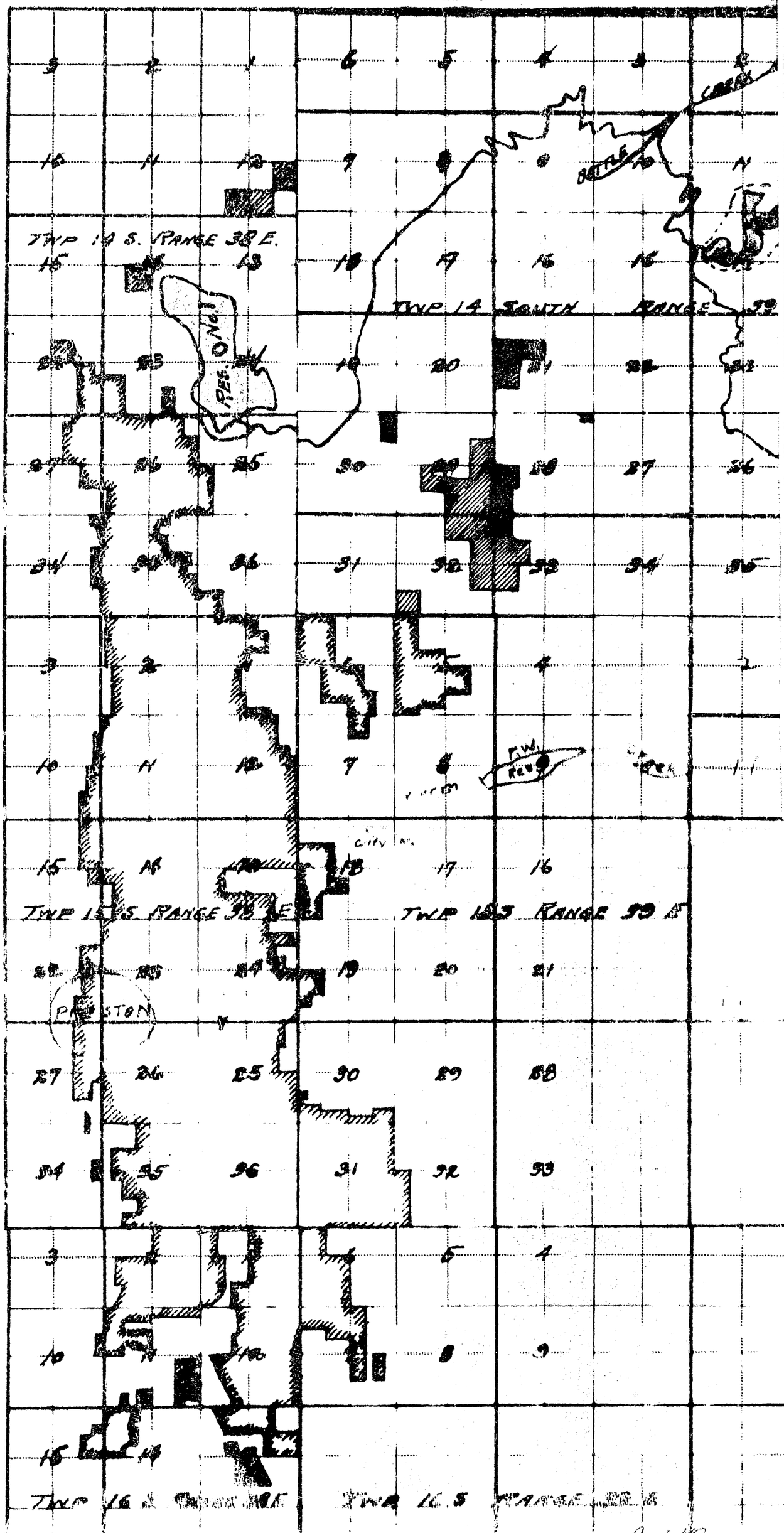
R. 6 79

NAME OF APPLICANT _____



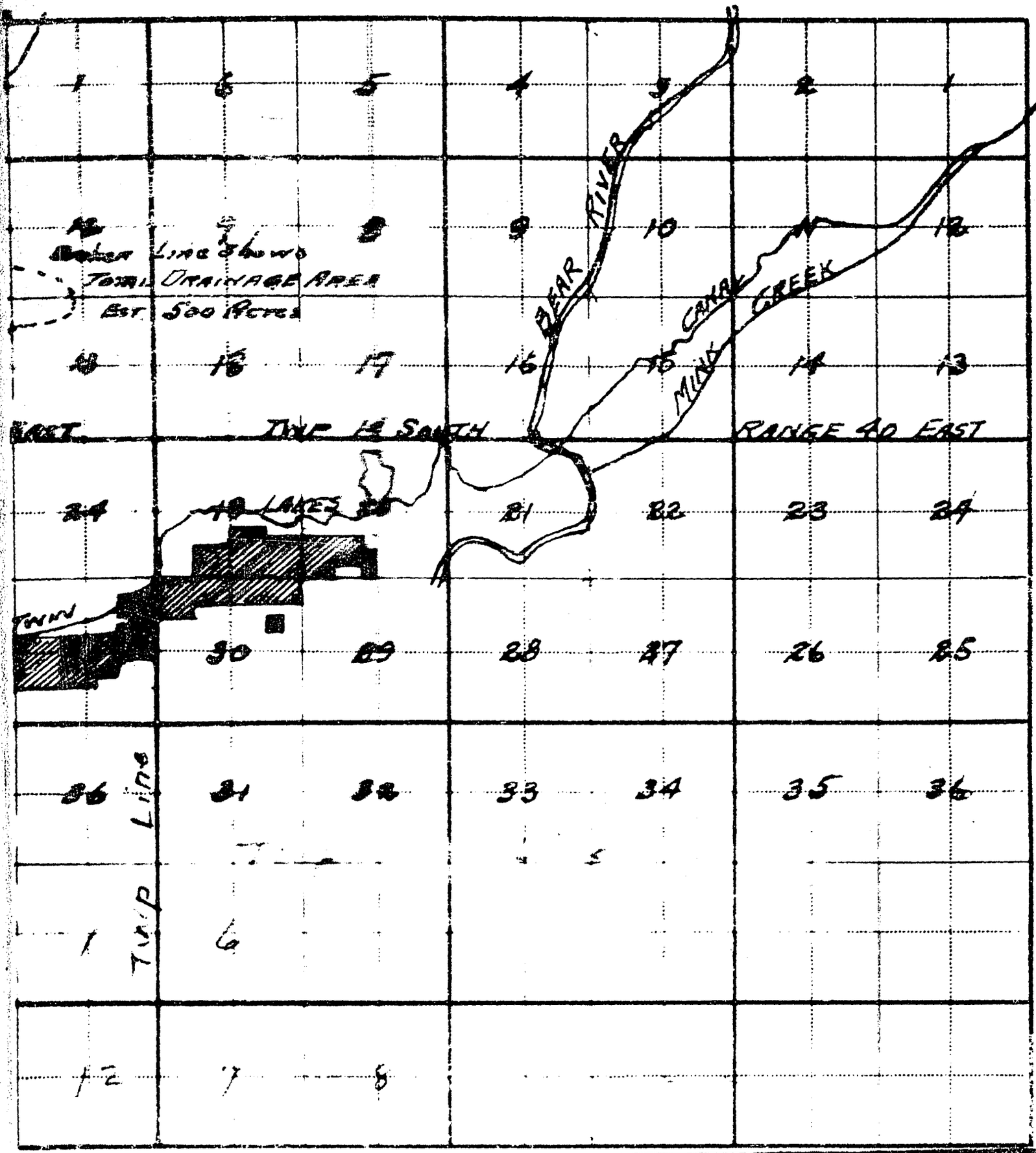
FORM No. O

NAME OF APPLICANT TWIN LAKES CANAL CO. FORM No

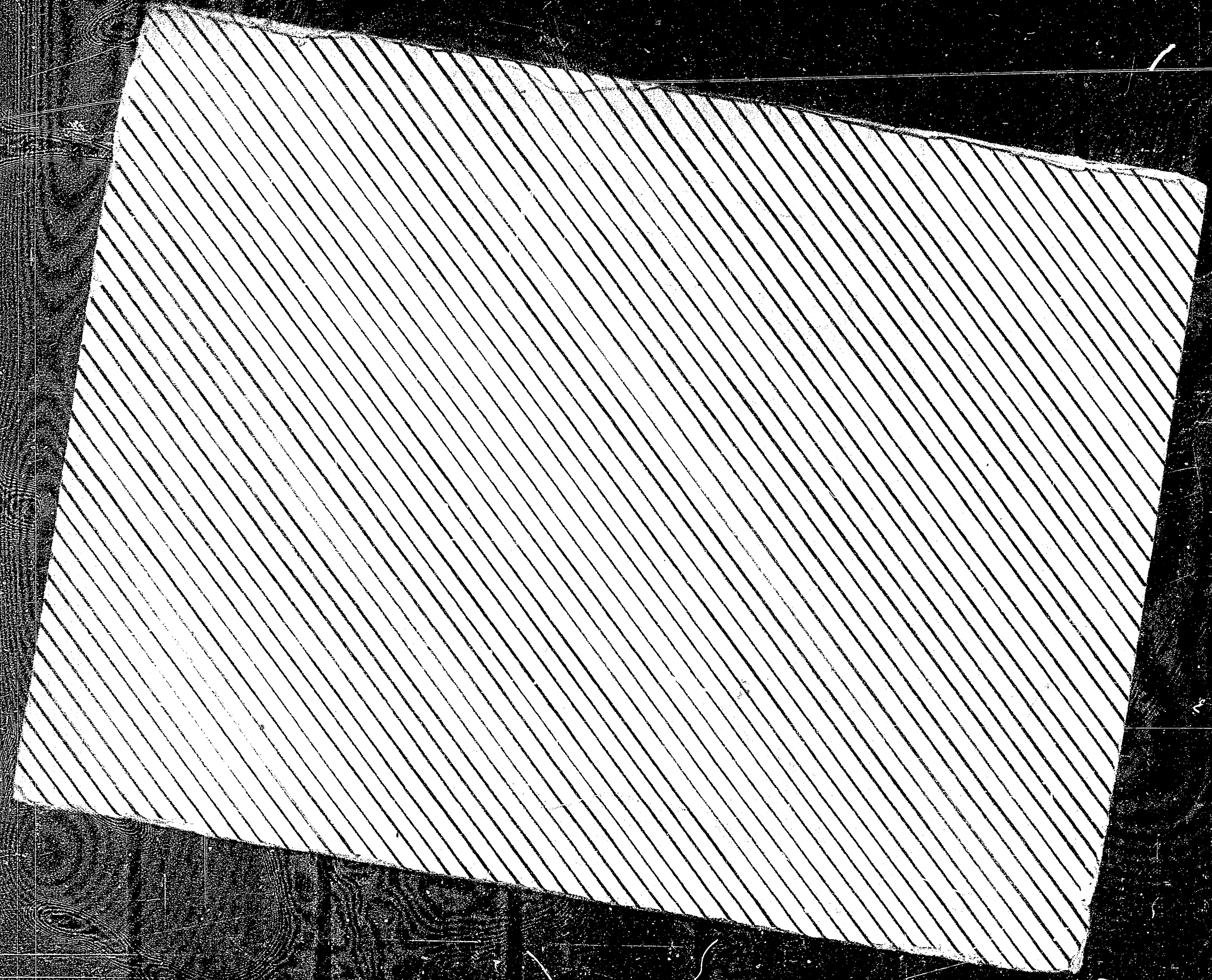


R-69

NAME OF APPLICANT



FORM NO O



R- 679

APPLICATION FOR PERMIT

To Construct a Reservoir and Store and Appropriate
The Public Waters of the State of Idaho

Application No. R 26469
Permit No. R 679

1. Name of Applicant: TWIN LAKES CANAL COMPANY

Postoffice address: Preston County Franklin State Idaho

I. If applicant is a corporation, give:

(a) Date and place of incorporation: Twin Lakes Canal Co., March 8, 1920, successord to Oneida Irrigation District, 1902, Dayton, Idaho. (b) Amount of Capital Stock: $ 2,000,000

(c) Amount paid in: $ 1,300,000 (d) Names and addresses of directors: Thomas Preston, Weston, Idaho
I. H. Nash, R. 1, Weston, Idaho
G. A. Brower, Preston, Idaho

II. The financial resources of the corporation are:

(a) Cash on hand: $ (b) Treasury Stock: $ 7,000 shares common, not issued

(c) Bonds to be issued: $ None (d) Other resources:

2. Quantity of water to be stored: 2,300 acre feet per annum.

3. Source of water supply is Mink Creek (Creek) (River) (Spring), a tributary of Bear River.

4. The outlet of the proposed reservoir is located S 22° E. 1940 (bearing) feet distant from the NW corner of Section 14, Township 14 S., Range 39 E., B. M. and is in the SW ¼ of NW ¼ of Section 14, Township 14 S., Range 39 E., B. M. County of Franklin

5. Fill out either (a) or (b).

(a) The reservoir is located in the channel of Twin Lakes Feeder Canal heads in SW¼ SE¼ Section 1, Twp. 14 S., Range 40 East, B.M. (Creek) (River).

(b) The reservoir is to be filled through a feeder canal, ~~the point of diversion for which is located~~ Canal from Feeder to Reservoir heads in the SW¼ NW¼ Sec. 14, Twp. 14 S., Range 39 E., B.M. (bearing) ~~feet distant from the corner of Section, Township, Range, B.M.~~, and is in the ¼ of ¼ of ~~Section, Township, Range, B.M.~~; width at bottom 6 feet, width at top 12 feet, depth of water 3 feet; average grade per mile None feet; Capacity 25 cubic feet per second.

6. (a) The area of the high water line of the reservoir is 117.44 acres.

(b) The reservoir capacity is 2,300 acre feet.

7. Height of reservoir dam 55 feet, length at top 570 feet, length at bottom 30 feet, size of outlet feet by 2.5 Diam. ~~feet~~ The dam is to be constructed of materials as follows: Red clay

(If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)

8. (a) Will water stored in reservoir be diverted to canal or acqueduct, thence to land to be irrigated without commingling with natural flow of Mink Creek ~~(Creek) (River)~~ ? Yes

(b) Water stored in reservoir will be carried in the channel of (Creek,) (River,) a distance of miles to point of diversion located (bearing) feet, distant from the corner of Section Township, Range, B. M., and in the ¼ of ¼ of Section, Township, Range B. M.

9. Amount of water claimed from Mink Creek ~~(Creek) (River) (Spring)~~ in addition to that stored in reservoir 300 - Bear River Decree cubic feet per second.

10. Water is to be used for Irrigation purposes.

11. If for mining, milling, power or manufacturing purposes give:

(a) Point of use of water (bearing) feet, distant from Corner of Section, Township, Range, B. M. and is in the ¼ of ¼ of Section, Township, Range, B. M.

(b) Amount of power generated: H. P., under feet head.

(c) Water is to be returned to (Creek) (River) (Spring) at a point (bearing) feet distant from the corner of Section, Township, Range, B. M., in the ¼ of ¼ of Section, Township, Range B. M.

12. Water stored in accordance with this Permit will be carried to place of use through a canal heretofore constructed ~~under the terms of Permit No.~~ by the Oneida Irrigation District about year 1905 ~~, which is hereby referred to and made a part hereof.~~

13. Kind of diversion works: Headgate from the main Feeder Canal
(Dam, canal, flume, pipe, etc.)

14. Height of diversion dam: feet, length at top feet, length at bottom feet. The dam is to be constructed of materials as follows:

(If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)

15. Size of headgate: Width 5 feet, Height 5 feet.

16. Diversion Canal: Width at bottom 6 feet, width at water line 12 feet, depth of water 3 feet, Dimensions of Flume
Diameter of Pipe inches; Length of Conduit miles. Average grade per mile feet.

17. Estimated cost of Works: Storage Works: $ 25,000 Diversion Works: $ 1,000

18. Time required for completion of work 5 years.

19. Time required for complete application of water to proposed beneficial use is No additional years.

20. The land to be irrigated is described in the following tabulation:

(Give irrigable acreage in each 40-acre subdivision.)

Twp.	Twp	Range	Sec	NE¼ NE¼	NE¼ NW¼	NE¼ SW¼	NE¼ SE¼	NW¼ NE¼	NW¼ NW¼	NW¼ SW¼	NW¼ SE¼	SW¼ NE¼	SW¼ NW¼	SW¼ SW¼	SW¼ SE¼	SE¼ NE¼	SE¼ NW¼	SE¼ SW¼	SE¼ SE¼	Total	Totals
	14 S	38 E	12												40	40		40		120	
			14								40									40	
			22			33.5										35			39	107.5	
			23									15.9	24.1					20		60	
			26	19	26.9	29	40	38.8	40	35	39.8	39	21.8	30	38.4	40.5	30.3	30.2	34.5	533.2	
			25										19	19						38	
			34	15.1			9									15.2				39.3	
			35	1.6	24.6	36.3	17	40	40	31.9	33.5	40	40	40	40	30	28.3	35.7	30	508.9	
			36											40						40	
	14 S	39 E	21					30	40	40										110	
			25	20		20	33			20	20	40	40			10	30.5			233.5	
			28	5									40	30						75	
			29				40					40				20	20	40	40	200	
			30		20															20	
			32	37.5	40		40							40		40				197.5	
			33						30	20	20		40							110	
	14 S	40 E	19											40				30	30	100	
			20											30	20					50	
			30	30	30		10	30	40											140	
	15 S	38 E	1	xxxx	25	15		38	35	40		35	40	40	40			15		323	
			2	41	36	29	38.3	41.9	31.5	30		40	20	20	40	40	33.9	33.3	40	514.9	
			10	5												12			28	45	
			11	39.2	35.7	35.7	39.8	40	40	39.2	40	40	40	39.1	39.6	28.8	38	39.4	35.9	610.4	
			12	10	40	40	35	40	40	40	40	40	40	40	40	40	40	40	40	605	
			13	40	40	40	40	40	40	40	40		40	40	40			40		480	
			14	35	40	40	38.3	40	40	40	40	58.5	28.5	19.7	40	25.5	37	30	25.5	550	
			15	30			27.7									7.6				65.3	
			22				35									30			40	105	
			23	23.5	30	38	37.1	40	30.5	40	40	40	40	40		16.5	30	40		405.6	
			24	24	36	40	13.5	40	40	40	40	40	20	20	40	40	40	40	40	553.5	
			25	20	40	40	10	40	40	25	40	40	40	40	40	40	40	40	40	575	
			26	15.4				5	30	20		12.2	12.8	30	40	10	21.2	37.2	26	259.8	
			27	33			40									31.7			8.2	112.9	
			34	2		10									10					22	
			35	20	40	30	20	20		25	40	40	10		30	40	40	40	40	435	
			36	40	40	40	38	36			40	40		32	39	40	40	40	40	505	
	15 S	39 E	5						41.3	40	30	40	40	40	30		40	10		311.3	
			6							20	20	40			20		25	40	10	175	
			7		40															40	
			18							36.7	21	30.6	36.6	30						154.9	
			19										36.2	10						46.2	
			30					20					3	30.7	27			15	20	115.7	
			31	40	40	40	40	40	32.5	34.8	40	40	34.8	34.7	40	35	30	15	15	551.8	
			32										20	20						40	
	16 S	38 E	1			31.9	36.7			30			40	25	28	40	20	40		291.6	
			2			37.6	37.5					40	20	24.5	40	40		40		279.6	
			10				15													15	
			11	20	20			26	40	40	18.7			5	12	30			32.5	244.2	
			12	40	40	33.5	40	20		10	30	40	11		33.5	6.3	15.5	26.5	30.7	377.3	
			15		6.4	15	40	39.3	8.6		10.4	20					14.7			154.4	
			14					18.7	38	35.4	15									107.1	
	16 S	39 E	6							31.6		40	34.6	34.6	40					180.8	
			7		30	30		40	34.5		25.4					20	30			209.9	

TOTAL 2 - - 12,215.10 Acres

Remarks:

BE IT KN
as herein

Date of fir

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DEPARTMENT OF COMMISSIONER OF RECLAMATION

13. Kind of diversion works: Headgate from the main Feeder Canal
(Dam, canal, flume, pipe, etc.)

14. Height of diversion dam: feet, length at top feet, length at bottom feet. The dam is to be constructed of materials as follows:

(If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)

15. Size of headgate: Width 5 feet, Height 5 feet.

16. Diversion Canal: Width at bottom 6 ... 12 ... 3

17. Estim

18. Time

19. Time

20. The l

Twp.	Totals

Total Number of Acres to be Irrigated 12,215,10

Remarks: The purpose of this reservoir is to store water which we have been using in the early part of the season. This will enable us to make a more uniform delivery of water throughout the season, and a more beneficial use.

BE IT KNOWN That the undersigned hereby makes application for permit to construct a reservoir and store and appropriate the public waters of Idaho as herein set forth, and that the enclosed map is hereby made a part of this application.

TWIN LAKES CANAL CO. Applicant.

By J. J. Sanford, Mgr. Agent.

Date of first receipt at office of Commissioner of Reclamation 9:00 A.M. August 19, 1940

Returned to applicant for correction August 20, 1940

Corrected application received August 24, 1940

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is R 679

Recorded in book R 3 , page 679 Approved August 27, 1940

This is to certify that I have examined the within application for a permit to construct a reservoir and store and 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 October 26, 1940 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One fifth of the work above specified to be completed on or before February 27, 1943

The whole of said work to be completed on or before August 27, 1945

Beneficial use of water stored in accordance herewith, to be made on or before August 27, 1945

Witness my hand this 27th day of August , 19 40 .

JAMES SPOFFORD Commissioner of Reclamation.

R-679

IN TESTIMONY WHEREOF, We, C. A. BOTTOLFSEN, Governor of the State of Idaho, and GEO. H. CURTIS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 27th day of August, 1940.

(SEAL)

Countersigned:
By GEO. H. CURTIS
Secretary of State

STATE OF IDAHO
By C. A. BOTTOLFSEN
Governor

APPROVAL OF STATE RECLAMATION ENGINEER

WHEREAS, Application for extension of time for Completion of Works under Permit to store and appropriate the public waters of the State of Idaho, No. R-679, has been made by the owner thereof, Twin Lakes Canal Company, through its Manager, J. J. Sanford, of Preston, Idaho, which application was duly advertised for a period of two consecutive weeks in the Preston Citizen, stating that on the 20th day of July, 1945, a hearing would be held for the purpose of receiving any protests, testimony or evidence regarding such application; and,

WHEREAS, At the time set for the hearing no protest, testimony or evidence had been presented, either orally or by affidavit; and,

WHEREAS, It appears that the owner of said permit is entitled to a further extension of time within which to complete work:

NOW, THEREFORE, I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, by virtue of authority vested in me under Chapter 12 (Senate Bill 13) of the 1945 Session Laws, hereby extend the time for completion of works under permit to appropriate and store the public waters of the State of Idaho, No. R-679, to August 27, 1949.

WITNESS MY HAND this 23rd day of July, A. D. 1945.

MARK R. KULP
State Reclamation Engineer

Permit No. R-679
CERTIFICATE OF COMPLETION OF WORKS.

TO ALL WHOM IT MAY CONCERN:

This is to certify that TWIN LAKES CANAL COMPANY of Preston, County of Franklin, and State of Idaho, the holder of Permit No. R-679, issued upon Application No. R-26469, bearing date of priority of August 19, 1940, authorizing the construction of a reservoir, with the right to appropriate and store 2,300 acre feet per annum of the waters of Mink Creek, a tributary of Bear River, in the County of Franklin, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works set out and described in said Permit; that said works include a dam and reservoir adequate for the storage of 2,300 acre feet of water per annum, with adequate diversion works and conduit to the reservoir, and a conduit capable of conducting said water to the place of intended use; that the point of outlet of said reservoir is located in the SW¼ of the NW¼ of Section 14, Township 14 S., Range 39 E., And that the place of use, or the lands proposed to be irrigated by the use of said water, are described as follows, to-wit: 12,215.10 acres within the boundary of the Twin Lakes Canal Company, located in Townships 14, 15, and 16 South, Ranges 38 and 39 East, B.M., and Township 14 South, Range 40 East, B.M.

Witness my hand this 28th day of April, 1950.

MARK R. KULP
State Reclamation Engineer

Proof of Completion of Works made August 30, 1949.
Certificate of Completion of works issued April 28, 1950.

LICENSE ISSUED FOR 2,300 acre SEC. FT.
P. 4579

R- 679

APPLICATION FOR PERMIT

To Construct a Reservoir and Store and Appropriate
The Public Waters of the State of Idaho

Application No. R 26469
Permit No. R 679

1. Name of Applicant: TWIN LAKES CANAL COMPANY

Postoffice address: Preston County Franklin State Idaho

I. If applicant is a corporation, give:

(a) Date and place of incorporation: Twin Lakes Canal Co., March 8, 1920, successord to Oneida Irrigation District, 1902, Dayton, Idaho. (b) Amount of Capital Stock: $ 2,000,000

(c) Amount paid in: $ 1,300,000 (d) Names and addresses of directors: Thomas Preston, Weston, Idaho
I. H. Nash, R. 1, Weston, Idaho
G. A. Brower, Preston, Idaho

II. The financial resources of the corporation are:

(a) Cash on hand: $ (b) Treasury Stock: $ 7,000 shares common, not issued

(c) Bonds to be issued: $ None (d) Other resources:

2. Quantity of water to be stored: 2,300 acre feet per annum.

3. Source of water supply is Mink Creek ~~(Creek) (River) (Spring)~~, a tributary of Bear River.

4. The outlet of the proposed reservoir is located S 22° E. 1940 (bearing) feet, distant from the NW corner of Section 14, Township 14 S., Range 39 E., B. M. and is in the SW ¼ of NW ¼ of Section 14, Township 14 S., Range 39 E., B. M. County of Franklin

5. Fill out either (a) or (b).

(a) The reservoir is located in the channel of Twin Lakes Feeder Canal heads in SW¼ SE¼ Section 1, Twp. 14 S., Range 40 East, B.M. (Creek) (River).

(b) The reservoir is to be filled through a feeder canal, ~~the point of diversion for which is located~~ Canal from Feeder to Reservoir heads in the SW¼ NW¼ Sec. 14, Twp. 14 S., Range 39 E., B.M. (bearing) ~~feet distant from the corner of Section, Township, Range, B.M.~~, and is in the ¼ of ¼ of Section ~~Township, Range, B.M.~~; width at bottom 6 feet, width at top 12 feet, depth of water 3 feet; average grade per mile None feet; Capacity 25 cubic feet per second.

6. (a) The area of the high water line of the reservoir is 117.44 acres.

(b) The reservoir capacity is 2,300 acre feet.

7. Height of reservoir dam 55 feet, length at top 570 feet, length at bottom 30 feet, size of outlet feet by 2.5 Diam. ~~feet~~. The dam is to be constructed of materials as follows: Red clay

(If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)

8. (a) Will water stored in reservoir be diverted to canal or acqueduct, thence to land to be irrigated without commingling with natural flow of Mink Creek ~~(Creek) (River)~~ ? Yes

(b) Water stored in reservoir will be carried in the channel of (Creek,) (River,) a distance of miles to point of diversion located (bearing) feet, distant from the corner of Section Township, Range, B. M., and in the ¼ of ¼ of Section, Township, Range B. M.

9. Amount of water claimed from Mink Creek ~~(Creek) (River) (Spring)~~ in addition to that stored in reservoir 300 - Bear River Decree cubic feet per second.

10. Water is to be used for Irrigation purposes.

11. If for mining, milling, power or manufacturing purposes give:

(a) Point of use of water (bearing) feet, distant from Corner of Section, Township, Range B. M. and is in the ¼ of ¼ of Section, Township, Range, B. M.

(b) Amount of power generated: H. P., under feet head.

(c) Water is to be returned to (Creek) (River) (Spring) at a point (bearing) feet distant from the corner of Section, Township, Range, B. M., in the ¼ of ¼ of Section, Township, Range B. M.

12. Water stored in accordance with this Permit will be carried to place of use through a canal heretofore constructed ~~under the terms of Permit No.~~ by the Oneida Irrigation District about year 1903 ~~, which is hereby referred to and made a part hereof.~~

13. Kind of diversion works: Headgate from the main Feeder Canal
(Dam, canal, flume, pipe, etc.)

14. Height of diversion dam: feet, length at top feet, length at bottom feet. The dam is to be constructed of materials as follows:

(If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)

15. Size of headgate: Width 5 feet, Height 5 feet.

16. Diversion Canal: Width at bottom 6 feet, width at water line 12 feet, depth of water 3 feet. Dimensions of Flume
Diameter of Pipe inches; Length of Conduit miles. Average grade per mile feet.

17. Estimated cost of Works: Storage Works: $ 25,000 Diversion Works: $ 1,000

18. Time required for completion of work 5 years.

19. Time required for complete application of water to proposed beneficial use is No additional years.

20. The land to be irrigated is described in the following tabulation:

(Give Irrigable acreage in each 40-acre subdivision.)

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total Number of Acres to be Irrigated 12,215.10

Remarks: The purpose of this reservoir is to store water which we have been using in the early part of the season. This will enable us to make a more uniform delivery of water throughout the season, and a more beneficial use.

BE IT KNOWN That the undersigned hereby makes application for permit to construct a reservoir and store and appropriate the public waters of Idaho as herein set forth, and that the enclosed map is hereby made a part of this application.

TWIN LAKES CANAL CO. Applicant.

By J. J. Sanford, Mgr. Agent.

Date of first receipt at office of Commissioner of Reclamation 9:00 A.M. August 19, 1940

Returned to applicant for correction August 20, 1940

Corrected application received August 24, 1940

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is R 679

Recorded in book R 3, page 579 Approved August 27, 1940

This is to certify that I have examined the within application for a permit to construct a reservoir and store and 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 October 26, 1940 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One fifth of the work above specified to be completed on or before February 27, 1943

The whole of said work to be completed on or before August 27, 1945

Beneficial use of water stored in accordance herewith, to be made on or before August 27, 1945

Witness my hand this 27th day of August, 19 40.

JAMES SPOFFORD Commissioner of Reclamation.

Twp	Range	Sec	NE¼ NE¼	NE¼ NW¼	NE¼ SW¼	NE¼ SE¼	NW¼ NE¼	NW¼ NW¼	NW¼ SW¼	NW¼ SE¼	SW¼ NE¼	SW¼ NW¼	SW¼ SW¼	SW¼ SE¼	SE¼ NE¼	SE¼ NW¼	SE¼ SW¼	SE¼ SE¼	Total
14 S	38 E	12												40	40		40		120
		14									40								40
		22			33.5										35			39	107.5
		23										15.9	24.1				20		60
		26	19	26.9	29	40	38.8	40	35	39.8	39	21.8	30	38.4	40.5	30.3	30.2	34.5	553.2
		25										19	19						38
		34	15.1			9									15.2				39.3
		35	1.6	24.6	36.3	17	40	40	31.9	33.5	40	40	40	40	30	28.3	35.7	30	508.9
		36											40						40
14 S	39 E	21					30	40	40										110
		25	20		20	33			20	20	40	40			10	30.5			233.5
		28	5									40	30						75
		29				40					40				20	20	40	40	200
		30		20															20
		32	37.5	40		40							40		40				197.5
		33						30	20	20		40							110
14 S	40 E	19											40				30	30	100
		20											30	20					50
		30	30	30		10	30	40											140
15 S	38 E	1	xxxx	25	15		38	35	40		35	40	40	40			15		323
		2	41	36	29	38.3	41.9	31.5	30		40	20	20	40	40	33.9	33.3	40	514.9
		10	5												12			28	45
		11	39.2	35.7	35.7	39.8	40	40	39.2	40	40	40	39.1	39.6	28.8	38	39.4	35.9	610.4
		12	10	40	40	35	40	40	40	40	40	40	40	40	40	40	40	40	605
		13	40	40	40	40	40	40	40	40		40	40	40			40		480
		14	35	40	40	32.3	40	40	40	40	38.5	28.5	19.7	40	25.5	37	30	25.5	550
		15	30			27.7									7.6				65.3
		22				35									30			40	105
		23	23.5	30	38	37.1	40	30.5	40	40	40	40	40		16.5	30	40		485.6
		24	24	36	40	13.5	40	40	40	40	40	20	20	40	40	40	40	40	553.5
		25	20	40	40	10	40	40	25	40	40	40	40	40	40	40	40	40	575
		26	15.4				5	30	20		12.2	12.8	30	40	10	21.2	37.2	26	259.8
		27	33			40									31.7			8.2	112.9
		34	2		10									10					22
		35	20	40	30	20	20		25	40	40	10		30	40	40	40	40	435
		36	40	40	40	38	36			40	40		32	39	40	40	40	40	505
15 S	39 E	5						41.3	40	30	40	40	40	30		40	10		311.3
		6							20	20	40			20		25	40	10	175
		7		40															40
		18							36.7	21	30.6	36.6	30						154.9
		19										36.2	10						46.2
		30					20					3	30.7	27			15	20	115.7
		31	40	40	40	40	40	32.5	34.8	40	40	34.8	34.7	40	35	30	15	15	551.8
		32										20	20						40
16 S	38 E	1			31.9	36.7			30			40	25	28	40	20	40		291.6
		2			37.6	37.5					40	20	24.5	40	40		40		279.6
		10				15													15
		11	20	20			26	40	40	18.7			5	12	30			32.5	244.2
		12	40	40	35.8	40	20		10	30	40	11		33.5	6.3	15.5	26.5	30.7	377.3
		13		6.4	15	40	39.3	8.6		10.4	20					14.7			154.4
		14					18.7	38	35.4	15									107.1
16 S	39 E	6							31.6		40	34.6	34.6	40					180.8
		7		30	30		40	34.5		25.4					20	30			209.9

TOTAL 2 - - 13,215.10 Acres

R-679

IN TESTIMONY WHEREOF, We, C. A. BOTTOLFSEN, Governor of the State of Idaho, and GEO. H. CURTIS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 27th day of August, 1940.

(SEAL)

Countersigned:
By GEO. H. CURTIS
Secretary of State

STATE OF IDAHO
By C. A. BOTTOLFSEN
Governor

APPROVAL OF STATE RECLAMATION ENGINEER

WHEREAS, Application for extension of time for Completion of Works under Permit to store and appropriate the public waters of the State of Idaho, No. R-679, has been made by the owner thereof, Twin Lakes Canal Company, through its Manager, J. J. Sanford, of Preston, Idaho, which application was duly advertised for a period of two consecutive weeks in the Preston Citizen, stating that on the 20th day of July, 1945, a hearing would be held for the purpose of receiving any protests, testimony or evidence regarding such application; and,

WHEREAS, At the time set for the hearing no protest, testimony or evidence had been presented, either orally or by affidavit; and,

WHEREAS, It appears that the owner of said permit is entitled to a further extension of time within which to complete work:

NOW, THEREFORE, I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, by virtue of authority vested in me under Chapter 12 (Senate Bill 13) of the 1945 Session Laws, hereby extend the time for completion of works under permit to appropriate and store the public waters of the State of Idaho, No. R-679, to August 27, 1949.

WITNESS MY HAND this 23rd day of July, A. D. 1945.

MARK R. KULP
State Reclamation Engineer

Permit No. R-679
CERTIFICATE OF COMPLETION OF WORKS.

TO ALL WHOM IT MAY CONCERN:

This is to certify that TWIN LAKES CANAL COMPANY of Preston, County of Franklin, and State of Idaho, the holder of Permit No. R-679, issued upon Application No. R-26469, bearing date of priority of August 19, 1940, authorizing the construction of a reservoir, with the right to appropriate and store 2,300 acre feet per annum of the waters of Mink Creek, a tributary of Bear River, in the County of Franklin, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works set out and described in said Permit; that said works include a dam and reservoir adequate for the storage of 2,300 acre feet of water per annum, with adequate diversion works and conduit to the reservoir, and a conduit capable of conducting said water to the place of intended use; that the point of outlet of said reservoir is located in the SW¼ of the NW¼ of Section 14, Township 14 S., Range 40 E., And that the place of use, or the lands proposed to be irrigated by the use of said water, are described as follows, to-wit: 12,215.10 acres within the boundary of the Twin Lakes Canal Company, located in Townships 14, 15, and 16 South, Ranges 38 and 39 East, B.M., and Township 14 South, Range 40 East, B.M.

Witness my hand this 28th day of April, 1950.

MARK R. KULP
State Reclamation Engineer

Proof of Completion of Works made August 30, 1949.
Certificate of Completion of works issued April 28, 1950.

LICENSE ISSUED FOR 2,300 acre SEC. FT.
P. 4579

State of Idaho
License and Certificate of Water Right

Water License No. R-679 Amount 2,300 acre feet

Water District No. Priority August 19, 1940

THIS IS TO CERTIFY that TWIN LAKES CANAL COMPANY

of Preston, Idaho , made application for a permit to appropriate the public waters of the State of Idaho, dated August 19, , 1940 ; that Permit No. R-679 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 2,300 ~~second~~ acre feet, was issued thereunder on April 28, , 1950 , showing that said works were completed on the 30th day of August ,1949 ; and that on the 30th day of August ,1949 ,

TWIN LAKES CANAL COMPANY

of Preston , State of Idaho , made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to ~~use~~ store and use the waters of Mink Creek decreed under the terms of the decree entered in the District Court of the U. S. for the District of Idaho, Eastern Division, in Equity No. 203 a tributary of Bear River , for the purpose of irrigation

, under Use Permit No. R-679 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 8 of Licenses at page 4579 , on the 28th day of April , 1950 ;

The right hereby confirmed dates from August 19, , 1940 ;

The Point of Diversion is located

in the SW¼ ¼ NW¼ ¼, Sec. 14 , Tp. 14 S. , R. 39 E. , B. M. Franklin 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 2,300 ~~cubic feet per second~~ acre feet per annum.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
Lands within the boundary of the Twin Lakes Canal Company, located in Townships 14, 15 and 16 South, Range 39 East, B.M.; Townships 14, 15 and 16 South, Range 38 East, B.M.; and Township 14 South, Range 40 East, B.M.					

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 28th day of April , 1950 .

MARK R. KULP
State Reclamation Engineer

(SEAL)

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