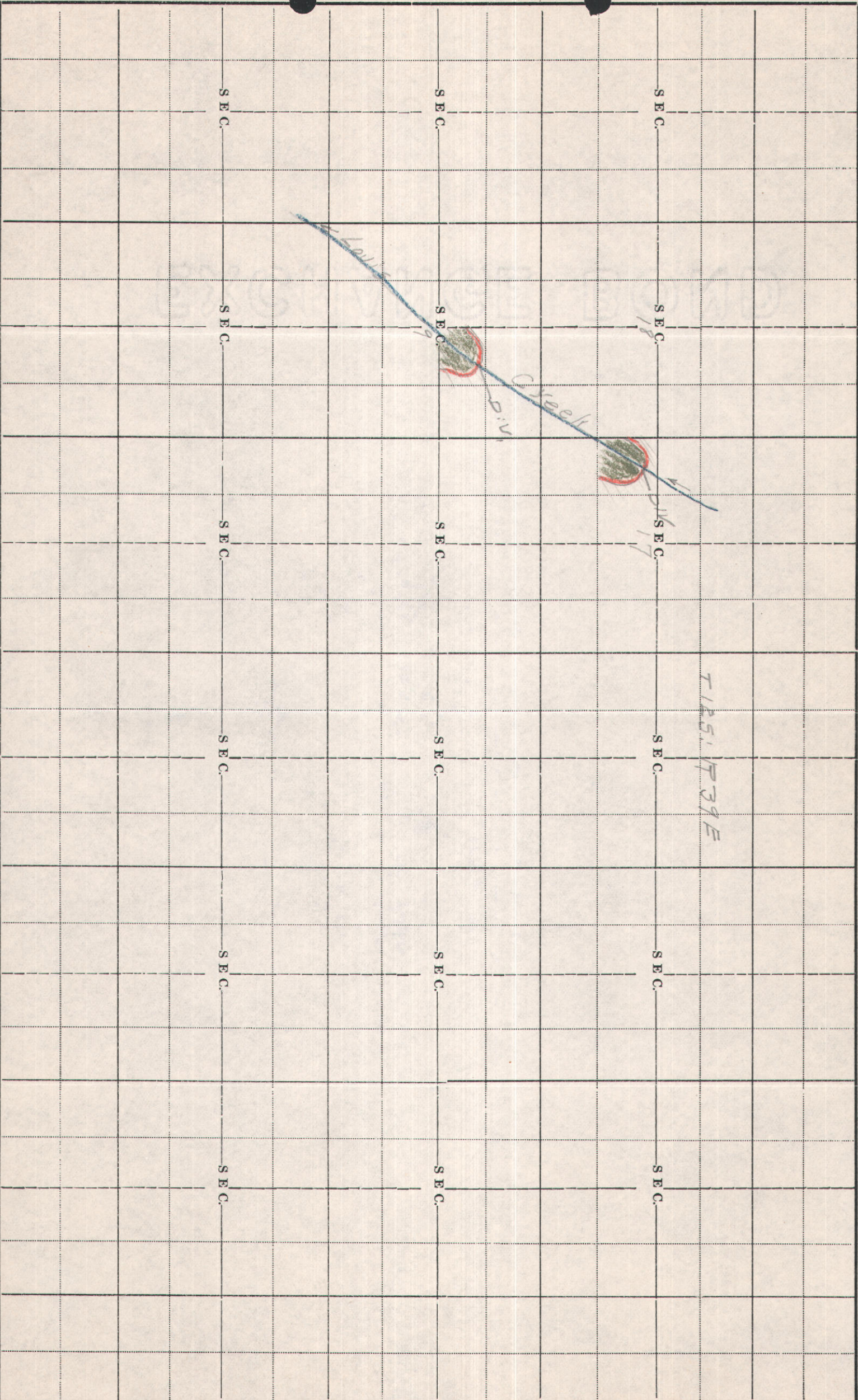


NAME OF APPLICANT

A.H. Packer

12327



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

12327

State of Idaho

See Decree 11-0811-
Lic. supercedes
decree - kw 1/20/86

License and Certificate of Water Right

Water License No. 12327
Water District No. 5 A

Amount 1 sec. ft.
Priority June 3, 1916.

THIS IS TO CERTIFY that **A. H. Rencher,**
of **Swan Lake, Idaho**, made application for a permit to appropriate the
public waters of the State of Idaho, dated **June 3**, 19 **16**; that Permit No. **12327**
was issued under said application; that Certificate of Completion of works, with a carrying capacity of **1**
second feet, was issued thereunder on **May 23**, 19**19**, showing that said works
were completed on the **20th** day of **May**, 19**19**; and that on the **20th**
day of **May**, 19 **19**,

A. H. Rencher,
of **Swan Lake**, State of **Idaho**, made proof to the satisfaction of the
~~Commissioner of Reclamation~~ of Idaho, of a right to the use of the waters of **Louis Creek**,
a tributary of **Cottonwood Creek**, for the purpose of **irrigation**,
under Use Permit No. **12327** of the ~~Commissioner of Reclamation~~ and that said right to the use of said
waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the ~~State~~
~~Commissioner of Reclamation~~ of Idaho and entered of record in Volume **5** of Licenses, at page **2590**, on the **25th**
day of **August**, 19 **20**;

The right hereby confirmed dates from **June 3**, 19 **16**;

The Point of Diversion is located
in the **(1) NW 1/4 SW 1/4, Sec. 17, Tp. 12 S., R. 39 E., B. M.**
(2) SW 1/4 NE 1/4, Sec. 19, County of Bannock.

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 **1** cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
12 S.	39 E.	17	NW 1/4 SW 1/4	40	40
		19	SW 1/4 NE 1/4	40	40

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

WITNESS the seal and signature of the ~~Commissioner of Reclamation~~
day of **August**, 19 **20**.

W. G. Swenson,

(SEAL)

~~Commissioner of Reclamation~~

By: **S. T. Baer.**
Deputy.

13 20

Application No. 17634.
Permit No. 12327

APPLICATION FOR PERMIT

13-2074

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

District No. 5-A.

1. Name of applicant: A.H. Rencher,

Postoffice address: Swan Lake,

County: Bannock

State: Idaho

I. If applicant is a corporation, give

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

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

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

3. Source of water supply: Louis Creek, which is a tributary of Cotton Wood Creek,

4. Location of point of diversion: In the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ Sec. 17, & SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 19,
T. 12 So., R. 39 E.B.M.

County of Bannock.

5. To be used for: Irrigation and Power.

I. Irrigation and domestic use: (a) Amount of land to be irrigated: 80 acres.
(b) In the following legal subdivisions:

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

(a) At what point: In the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 17, T. 12 So., R. 39 E.B.M.

(b) Amount of power to be generated: Five H. P. under 266 ft. head

(c) Is water to be returned to any stream? No stream. (d) If so, name stream and locate point of return:

6. Estimated cost of works: \$ Two Thousand Dollars (2,000.00)

7. Description of works for diversion:

I. Kind of works: Seven Thousand feet of pipe line.

II. Dimensions of works:

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

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

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

Height feet. (d) ~~Gandy~~ Ditch: width at bottom Two feet,

width at water line three feet, depth of water one feet; diameter of pipe
ten feet per mile.

two inches; average grade per mile is Ditch feet. Length of conduit is miles,
and it crosses the following quarter sections:

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

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

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

A.H. Rencher.

Applicant.

By

Agent.

Date of first receipt at office of State Engineer 9:00 A.M. June 3, 1916.

Returned to applicant for correction June 5, 1916.

Corrected application received July 10, 1916.

APPROVAL OF STATE ENGINEER

The number of this permit is 12327

Recorded in Book 42 Page 12327 Approved July 29, 1916.

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

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

Work to begin on or before September 27, 1916. and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before January 29, 1918

The whole of said work to be completed on or before July 29, 1919.

Beneficial use of water appropriated in accordance herewith, to be made on or before July 29, 1921.

Witness my hand this 29th day of July, 1916.

J. H. Smith.

State Engineer.

Remarks:

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

Twp.	Range	Sec.	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	Totals.
12 S.	39 E.	17					80
			-40-		-40-		

Total Number of Acres to be irrigated 80

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

Works completed: May 20th, 1919

Certificate issued: May 23, 1919.

Permit No. 12327

Certificate of Completion of Works.

TO ALL WHOM IT MAY CONCERN:

This is to certify that A. H. Rencher of Swan Lake, County of Bannock and State of Idaho, the holder of Permit No. 12327, issued upon Application No. 17634 bearing date of priority of June 3, 1916, authorizing the diversion of one second feet of the waters of Louis Lake County of Bannock, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho, relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use one second feet of the waters of Louis Creek; that the point of diversion of said waters is in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 17, and the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 19, T. 12 S., R. 39 E. B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 17, Township 12 South, Range 39 E. B. M.

Witness my hand this 23rd day of May, A. D. 1919.

W. G. Swendsen.

Commissioner of Reclamation.

By S. T. Baer.

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

A. H. Rencher
Swan Lake, Idaho.

April 4, 1921.

Dear Sir:

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your Permit No. ~~12327~~-----, which kindly fill out and return to me at least 60 days before the date upon which you wish to submit proof. The date of the proof is set out in your permit, and if proof is submitted subsequent to that your priority will be advanced a time equal to the difference of the time between the date proof should have been submitted and date it is submitted.

Yours truly,

Commissioner of Reclamation.

12327

Sept. 8, 1920.

Re: Permit 12377.

Mr. A. H. Rencher,
Swan Lake, Idaho.

Dear Sir:—

Enclosing herewith water license issued under
above permit, with receipt for fees paid.

Very truly yours,

W. C. SWENDSEN,

Commissioner of Reclamation.

WL-B5340

By _____

NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use.

Notice is hereby given that at 11 a. m. on the 3rd day of May, 1919, at Preston, County of Franklin, State of Idaho, before P. M. Condie, notary public, proof will be submitted of the application to beneficial use of one cubic foot per second of the waters of Louis Creek in accordance with the terms and conditions of Permit No. 12327 heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are A. H. Rencher, Swan Lake, Bannock County, Idaho.

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

3. The amount applied to beneficial use is one cubic foot.

4. The place where said water is used (if for irrigation, give full and accurate description of lands irrigated) Northwest quarter of the Southwest quarter of Section 17, and Southwest quarter of the Northeast quarter of Section 19, Township 12 South, Range 39 East- Boise Meridian, County of Bannock.

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

6. The right to take water from such works is based upon Permit No. 12327.

7. The source of supply from which such water is diverted is oLouis Creek.

8. The date of the priority which said user is prepared to establish is July 29, 1916.

W. G. SWENDSEN,
State Engineer.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Bannock, } SS.

I, J. B. Porter publisher of The Downey

Idahoan, published weekly at Downey, Bannock County, State of Idaho, do solemnly swear that a copy of the annexed advertisement was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated April 9, 1919, and ending with the is-

sue dated May 2nd, 1919.
J. B. Porter

Subscribed and sworn to before me this 9th day of

May, 1919.
Les Beckstead
Notary Public.

My commission expires of 1, 1922.

12327

Notice of Intent of Application of
Water to Beneficial Use.

Notice is hereby given that at 11
a. m. on the 3rd day of May, 1919,
at Preston, County of Franklin,
State of Idaho, before P. M. Condie,
notary public, proof will be submit-
ted of the application to beneficial
use of one cubic foot per second of
the waters of Louis Creek in accord-
ance with the terms and conditions
of Permit No. 12327 heretofore is-
sued by the State Engineer of the
State of Idaho.

1. The name and postoffice ad-
dress of the person or corporation
holding said permit are A. H. Rench-
er, Swan Lake, Bannock County,
Idaho.

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

3. The amount applied to benefi-
cial use is one cubic foot.

4. The place where said water is
used (if for irrigation, give full and
accurate description of lands irrigat-
ed) Northwest quarter of the South-
west quarter of Section 17, and
Southwest quarter of the Northeast
quarter of Section 19, Township 12
South, Range 39 East Boise Meri-
dian, County of Bannock.

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

6. The right to take water from
such works is based upon Permit No.
12327.

7. The source of supply from
which such water is diverted is Louis
Creek.

8. The date of the priority which
said user is prepared to establish is
July 29, 1916.

W. G. SWENDSEN,
State Engineer.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Bannock, } SS.

F. B. Porter publisher of The Downey
established this date 1911 and published continuously to
Idahoan, published weekly at Downey, Bannock County, State of Idaho, do sol-

emnly swear that a copy of the annexed advertisement was published weekly in

the regular and entire issue of said newspaper, and not in any supplement there-

of, for *four* consecutive weeks, commencing with the issue dated

April 11, 191*9*, and ending with the is-

sue dated *May 2nd*, 191*9*.

F. B. Porter
Subscribed and sworn to before me this *18th* day of

June, 191*9*.

Fred Wente
Notary Public.

My commission expires *Sept 1st*, 1920, 19*20*.

12327 12327

June 4, 1920.

Re: Permit 12327.

Mr. A. H. Rencher,
Swan Lake, Idaho.

Dear Sir:

The report of our examining engineer for proof of beneficial use of water under the above numbered permit has just been made. The fee required for this proof amounts to \$4.00, being \$2.00 for each 40-acre tract under cultivation. Upon receipt of this fee, together with the affidavit of publication from the Downey Idahoan, license will be issued you.

Yours very truly,

W. G. Swendsen,
Commissioner of Reclamation.

By:

CLB:MF

12327

REPORT OF ENGINEER

This proof is for Beneficial UseIn Water District No. 5-A

1. State name of applicant and number of permit: A. H. Rencher- Permit 12327
2. State source of water supply: Louis Creek
3. Location of point of diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 17 and SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 19, T. 12 S. R. 39 E.

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

2 Earth dam, 1 ft. H. 8 ft. Long. each.

2 Ditch, 2 ft. B. 1 ft. D. Cap. 2 sec. ft. each.

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

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

NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 17, SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 19, T. 12 S., R. 39 E.B.M.

All in cultivation.

7. Submit map on enclosed plat, showing location and details of above description.

8. How many parties conduct water in this system? One

9. Give names and amount of each right: A.H. Rencher.

10. What large stream would the water here appropriated finally reach? Bear River.

11. Describe the various tributaries en route, from point of diversion to the principal drainage stream:
Thru drains to Louis Creek to Cottonwood Creek to Bear River.

Remarks: All land in cultivation.

This examination was made on the 12 th day of May 19 20

(Signed)

L. Annett.

Examiner.

12327

(This report must be sworn to when not made by an attache of the State Engineer's office.)

STATE OF IDAHO;

County of _____

SS.

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

Subscribed and sworn to before me this _____ day of _____ 19____

My commission expires _____

Notary Public.

DIST. 5-A

A.H. Rencher
Swan Lake

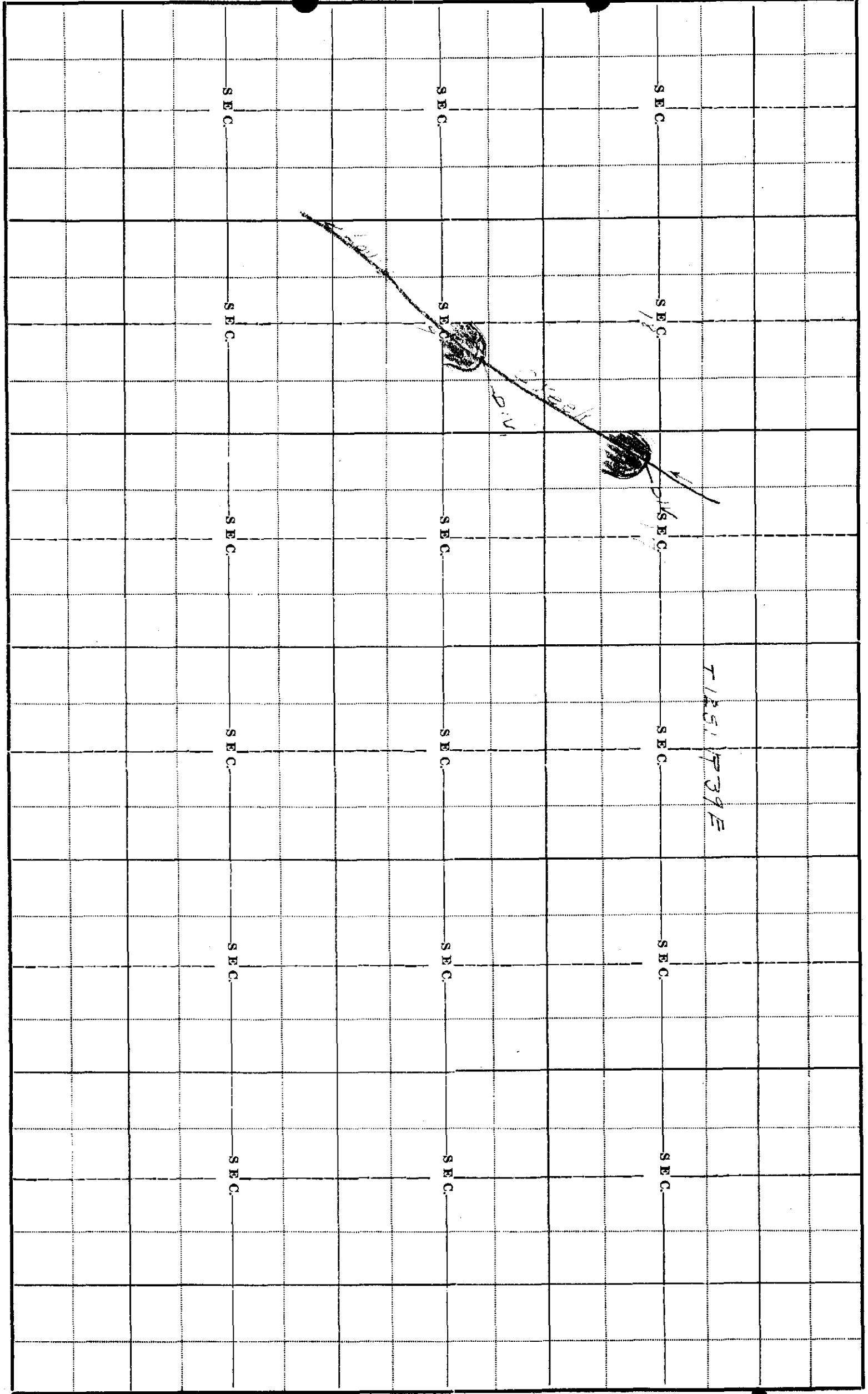
Permit 12327

17419 - 155,302

Instructions To Examiners

1. Examiners will not be permitted to examine any of the records in the office pertaining to this permit. They are to furnish a report of the facts and conditions as they exist, from their own observations and inquiries.
2. Always carefully note the location of the point of diversion, and accurately plat same.
3. Find out how many parties own rights in the ditch or canal and give their names and amount of right.
4. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
5. 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.
6. If any unusual conditions are discovered, make a plain statement of them under remarks.
7. 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.

NAME OF APPLICANT A.H. Pascher # 12327



T 12327 39E

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

12327

May 24th
1919

In re: Permit 12327

A. E. Reacher
Swan Lake, Idaho

Dear sir:

Herewith find certificate of completion of work issued under above permit, also receipt in the sum of \$5.00 covering statutory fee submitted.

Yours very truly

E. O. Swardson,
Commissioner of
Reclamation.

By:

12327

May 23d
1919

In re Permit: 12327

P. M. Condie
Preston, Idaho

Dear sir:

This will acknowledge receipt of proof of completion of work under the above permit and also proof of beneficial use.

Certificate of completion of work will be issued to Mr. Rencher in the near future; the matter of issuing license will be taken up after an examination by an engineer from this office; but inasmuch as some two hundred examinations were allowed to accumulate in the past two years, it is impossible to state just when the examination under this proof can be made, but I assure you the examination will be made just as soon as possible.

No affidavit of publication was received with the above final proof, therefore it will be necessary to complete the proof by forwarding the publisher's affidavit.

Yours very truly,

W. G. Swendsen,
Commissioner of
Reclamation.

By:

12327

W. G. SWENDSEN,
COMMISSIONER

State of Idaho
Department of Reclamation
CAPITOL BUILDING
Boise

May 5th
1919

In re: Permit 12327

P. M. Condie,
Preston, Idaho.

Dear sir:

I am returning to you herewith deposition of witness under the above proof, together with check in the sum of \$5.00 submitted. Also find inclosed blank deposition of holder of permit and blank affidavit for use in completion of works proof.

Kindly submit all the papers together, together with an affidavit covering the wherefore of the fact that the deposition of holder and proof of completion of works was not sworn to on the day set for proof.

Yours very truly,

W. G. Swendsen,
Commissioner of
Reclamation

By: *[Signature]*

12327

AFFIDAVIT.

State of Idaho, .
 . SS.
County of Franklin..

A. H. Rencher, being first duly sworn, deposes and says:
I am the holder of Permit No. 12327; that notice as published
called for the submission of proof on the third day of May,
1919; that affiant fully intended to make proof on said day, but
by mistake the proof which he was required to sign was spoiled
which fact was reported to the Department of Reclamation, Boise,
Idaho; that affiant lives a considerable distance from Preston,
Idaho, and has been unable to have the proof completed before this
date.

A. H. Rencher

Subscribed and sworn to before me this 20 day of May, 1919.

G. M. Wendie

Notary Public, Preston, Idaho.

RECEIVED

DEPARTMENT OF RECLAMATION

12327

PERMIT NO. 12327

RECEIVED

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

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

Ans. A. H. Rencher, 61 years, Swan Lake, Idaho, farmer, Swan Lake, Idaho.

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

Ans. _____

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

Ans. 12327, dated July 29th, 1916.

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

Ans. Louis Creek, tributary of Cotton Wood Creek, point of diversion Northwest quarter of Southwest quarter Sec. 17, and Southwest quarter of Northeast quarter of Sec. 19, Tp. 12 So., R. 39 E., B. M. Bannock County, Idaho.

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. Ditch two feet at bottom, three feet at water line, and one foot deep, will convey three second feet, known as Rencher ditch.

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. For irrigation. Used on following described cultivated land: Northeast quarter of Southwest quarter of Section 17, and the Northwest quarter of the Southeast quarter of Section 17, Tp. 12 South, Range 39 E. B. M.

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

Ans. _____

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

Ans. To water all the land capable of irrigation would require three or four second feet; only one second foot is applied for or available.

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. _____

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

Ans. I have used the water for four years myself and it has been used on the land before that time; all of the second foot of water available has been used.

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

Ans. None.

(Sign)

A. H. Rencher

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 20th day of May, A. D. 1912.

G. M. Cordie

Notary Public, Preston, Idaho.

12327

Permit No. 12327

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. Roland C. Mackay, 23 years, Swan Lake, Idaho, rancher.

Ques. 2. Are you acquainted with A. H. Remher, the holder of Permit No. 12327? How long have you known him and where does he reside?

Ans. One year. He resides at Swan Lake, Idaho.

Ques. 3. Have you read or heard read said Permit No. 12327, 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. Louis Creek, a tributary of Cotton Wood Creek, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 17, and SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 19, Tp. 12 So., R. 39 E. B. M., county of Bannock, ditch two feet at bottom, three feet at water line, and one foot deep, for irrigation purpose.

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

Ans. Three second feet. Not quite a second foot.

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. Used for irrigation at Northeast quarter of Southwest quarter of Section 17, T. 12 South, R. 39 E. B. M., and the Northwest quarter of the Southeast quarter of same section, township and range.

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

Ans. None.

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

Ans. Black loam. The one second foot applied for will not water all the land which could be irrigated. Three or four second feet would be required to water all the land which could be irrigated.

12327

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

to what extent?

Ans. None whatever.

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. During the year 1918 I saw applied to irrigation all the avail-

able water from Louis Creek which at the time mentioned when I saw it
would not be quite a second foot of water.

(Sign)

Roland L. Mayhew

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 third day of May, A D 19 19.

Notary Public.

Preston, Idaho.

October 16th, 1919.

My commission expires

1927

Permit No. 12327

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. Edgar Osguthorpe, 31, Swan Lake, farmer, Swan Lake, Idaho.Ques. 2. Are you acquainted with A. H. Rencher, theholder of Permit No. 12327? How long have you known him and where does he reside?Ans. Yes. I have known him for a year. He resides at Swan Lake, IdahoQues. 3. Have you read or heard read said Permit No. 12327, 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. Louis Creek, tributary of Cotton Wood Creek, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 17 and SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 19, Tp. 12 So., R. 39 E. B. M., county of Bannock, ditch two feet at bottom, three feet at water line, and one foot deep, for irrigation purpose.

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

Ans. Three second feet. Have seen one second foot in ditch.

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. Used for irrigation at Northeast quarter of Southwest quarter of Section 17, T. 12 South, Range 39 E. B. M. ~~Wahammmmmmm~~ and the Northwest of the Southeast quarter of same section, township and range.

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

Ans. None.

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

Ans. Black loam. The one second foot applied for will not water all the land which could be irrigated. Three or four second feet would be required.

12327

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

to what extent?

Ans. None whatever.

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. During the year 1918 I worked on the land described, and saw

all of the water available applied to the irrigation of said land.

(Sign)

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 third day of May, A.D. 1919.

Notary Public.

Preston, Idaho.

My commission expires October 16th, 1922.

Permit No. 12327

OFFICE OF STATE ENGINEER

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO,

County of Franklin

} ss.

A. H. Rencher,

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

First: That he is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho, No. 12327, and that his postoffice address is Swan Lake, Idaho
State of Idaho.

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

Louis Creek, tributary of Cotton Wood Creek.

Third: That the point of diversion of said water is Northwest quarter of Southwest quarter of Sec. 17, and Southwest quarter of Northeast quarter of Sec. 19, Tp. 12 South, R. 39 E. B. M., Bannock County, Idaho.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by July 29, 1919., 19

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

Sixth: That on the date above mentioned, the works constructed under said permit ~~was~~ are ~~hammer~~ man fully completed and consisted of the following:

I. Kind of works: ditch two feet wide at bottom, three feet at water line, and one foot deep.
(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:

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

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

(b) Capacity of reservoir acre feet.

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

(d) Conduit ditch width at bottom ~~threes~~ two feet, width at water line three feet, depth of water one feet; diameter of pipe inches; average grade per mile is feet. Length of conduit is miles.

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

Eighth: That water appropriated under said permit is available for eighty acres of land described as follows: Northeast quarter of Southwest quarter and the Northwest quarter of the Southeast quarter of Section 17, Tp. 12 South, Range 39 E. B. M.

Ninth: Remarks: That

A. H. Rencher
(Sign here)

Subscribed and sworn to before me this 20th day of May, 1919

My commission expires October 16, 1922.

J. M. Keandie
Notary Public.
Preston, Idaho.

12327

12327

May 5th
1919

In re: Permit 12327

P. M. Condie,
Preston, Idaho.

Dear sir:

I am returning to you herewith deposition of witness under the above proof, together with check in the sum of \$4.00 submitted. Also find inclosed blank deposition of holder of permit and blank affidavit for use in completion of works proof.

Kindly submit all the papers together, together with an affidavit covering the wherefore of the fact that the deposition of holder and proof of completion of works was not sworn to on the day set for proof.

Yours very truly,

W. G. Swendsen,
Commissioner of
Reclamation

By:

12327

A. D. ERICKSEN
Lawyer

P. M. CONDIE
Prosecuting Attorney of Franklin
County

ERICKSEN & CONDIE
LAWYERS

Offices at
Preston, and Idaho Falls,
Idaho

Preston, Idaho, May third, 1919.

State Engineer,

Boise, Idaho.

Dear Sir:-

Enclosed please find depositions of witnesses respecting Permit No. 12327- A. H. Rencher. The proof of completion of works and the proof of application of water to beneficial use were spoiled and I will ask that you mail us a copy of each of these papers which I will see is sent to you at once. I hope you can grant this request and consider that the proof was made on the third of May as advertised.

I enclose Mr. J. L. Rencher's check for \$5.00.

Very truly,

P. M. Condie

State of Idaho
ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE

BOISE, IDAHO,

April 10th,
1919

A. H. Bencher,
Care: P. M. Condie,
Preston, Idaho.

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of application of water to beneficial use under Permit No. 12327

DEPOSITION OF PERMIT HOLDER,

DEPOSITIONS OF TWO WITNESSES.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of the permit holder's rights:

1. On May 3, 1919, the date set for the proof of application of water to beneficial use, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to at the office of P. M. Condie, Notary Public
Preston, Idaho

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice. When these have been received, together with report of examining engineer, you will be further advised as to fees due before issuing license.

Yours truly,

W. G. Svendsen,
Commissioner of
Reclamation ~~cc: P. M. Condie~~
State Engineer.

12327

State of Idaho
ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Boise, Idaho,

April 4th, 1919

A. E. Rencher
Swan Lake, Idaho
Dear Sir:—

Under the terms of your permit No. ~~12327~~-----, you are required to complete your diversion works on or before July 22, 1919----- I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

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

Yours truly,

W. S. Swendsen,
Comm. of Registration

~~State Engineer~~

12327

(P. O.)

(Date)

Downey Ida.
Apr 1. 1919

State Engineer, Boise.

Dear Sir:

I have your letter of *Mar 26* enclosing Notice of Proof
of ~~Completion of Works and~~ Beneficial Use of Water under Permit No. *12327* which
will be published as you request, beginning with our issue of *Mar. 28*

RECEIVED

APR 2 1919

DEPARTMENT OF RECLAMATION

F. B. Porter

12327

May 3

March 24, 1919.

Re Permit No. 12327. Rencher.

Messrs. Erickson & Condie,
Attorneys at law,
Preston, Idaho.

Gentlemen:--We are in receipt of your letter enclosing notices for proof of use of water under the above permit, with check in the sum of \$5.00. This check, I take it, is for proof of completion of works, affidavit for which has not yet been received here. The check is therefore returned herewith.

The affidavit for proof of completion of works should be made out at the time of making proof of use of water.

May 3rd has been set as date for making proof and the notice will be sent to the Downey Idahoan for the required four weeks publication prior to said date. Deposition blanks will be mailed to you later.

Very truly yours,

W. G. SWENDSEN,

State Engineer.

By _____

Ch\$5

12327

A. D. ERICKSEN
Lawyer

P. M. CONDIE
Prosecuting Attorney of Franklin
County

ERICKSEN & CONDIE
LAWYERS

Offices at
Preston, and Idaho Falls,
Idaho

CS
5

Preston, Idaho, March 21, 1919.

State Engineer,
Boise, Idaho.

Dear Sir:-

We enclose herewith notices to be used in the matter of the final proof of A. H. Rencher in regard to application No. 17634, Permit No. 12327, for water as described in said permit. Mr. Rencher wishes to make final proof in this matter.

Mr. Rencher encloses his check for \$5.00 herewith.

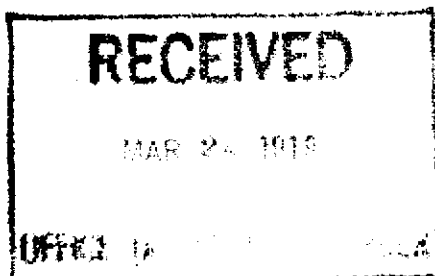
Kindly fill in the date to suit your convenience according to the date of publication of the notice, and send us the necessary blanks for making this proof.

Very truly,

ERICKSEN & CONDIE,

By

P. M. Condie



12327

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) March 21, 1919.

(P. O.) Swan Lake, Bannock County, Idaho.

TO THE STATE ENGINEER:

Boise, Idaho.

DEAR SIR:

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

A. H. Rencher.

(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.

12327

Palmdo - NE SW 10 NW SE - 17

NOTICE FOR PUBLICATION

NOTICE OF PROOF OF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 11:00 a. m. on the 3rd day of May, 19 19,
at Preston, County of Franklin, State of Idaho,
before P. M. Condie, notary public, proof will be submitted
of the application to beneficial use of one cubic feet per second of the
waters of Louis Creek in accordance with the terms and conditions of
Permit No. 12327 heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are.....
A. H. Rencher, Swan Lake, Bannock County, Idaho.
2. The use to which said water has been applied is irrigation.
3. The amount applied to beneficial use is One cubic foot.
4. The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) Northwest quarter of the Southwest quarter of Section 17,
and Southwest quarter of the Northeast quarter of Section 19, Township
12 South, Range 39 East of Boise Meridian, County of Bannock.
5. The name of the canal or ditch or other works by which said water is conducted to such place
of use is Rencher ditch.
6. The right to take water from such works is based upon Permit No. 12327.
7. The source of supply from which such water is diverted is Louis Creek
8. The date of the priority which said user is prepared to establish is July 29, 1916.

W. G. Swendsen,

State Engineer.

12327

RECEIVED

FEB 10 1975

UNITED STATES DEPARTMENT OF JUSTICE

398
JWME-19-125
021-1710

March 12, 1919.

Re Permit 12327.

Messrs. Erickson & Condie,
Preston, Idaho.

Gentlemen:--

Replying to yours of the 27th ult., relative to water right of A. H. Rencher, would say that Mr. Rencher may make proof of completion of works as constructed, notwithstanding the fact that the permit called for a pipe line. If works under a permit are constructed to carry the water applied for, it is all that is required.

I herewith enclose affidavit for proof of completion of works, together with blank notices for final proof, in case the holder desires to make both at the same time.

Very truly yours,

FRED A. WILKIE,

State Engineer.

By _____

F5-6-2F10-F11

12327

ERICKSEN & CONDIE
LAWYERS

Offices at
Preston, and Idaho Falls,
Idaho

Preston, Idaho, Feb. 27, 1919.

State Engineer,
Boise, Idaho.

Dear Sir:-

On July 29th, 1916, permit No. 12327, recorded in Book 48, Page -----, was issued to A. H. Rencher of Swan Lake, Idaho, in which permit it was specified that work was to begin by Sept. 27, 1916, one fifth of work to be completed Jan. 29, 1918, and the whole thereof by July 29, 1919. A pipe line was to be laid in order to use water for power purposes and the water was to be used also for irrigation.

Owing to the permit holder having made purchase of other land and also to the high cost of pipe during the war, and to the further fact that the permit holder has been handicapped on account of two of his brothers having been in the draft, he has been unable to lay the pipe line. However, the water has been used for irrigation for ten years or more and that part of the works pertaining to irrigation is complete and ready for the submission of proof.

We write to ascertain if Mr. Rencher may not at this time submit his proof as to the use of the water for irrigation purposes and thus clinch his right to the water, and be relieved from laying the pipe line inasmuch as he has abandoned the intention of generating power by the use of this water. It seems to us that inasmuch as Mr. Rencher is already putting the water to a beneficial use, irrespective of the pipe line, that he should be given the privilege of proving up on the water.

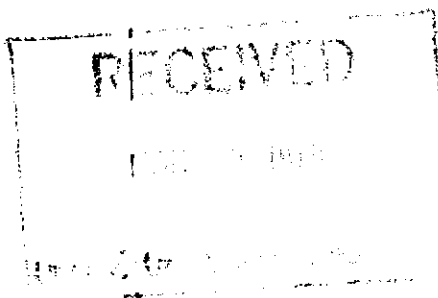
Awaiting your reply, we remain,

Very truly,

ERICKSEN & CONDIE,

By

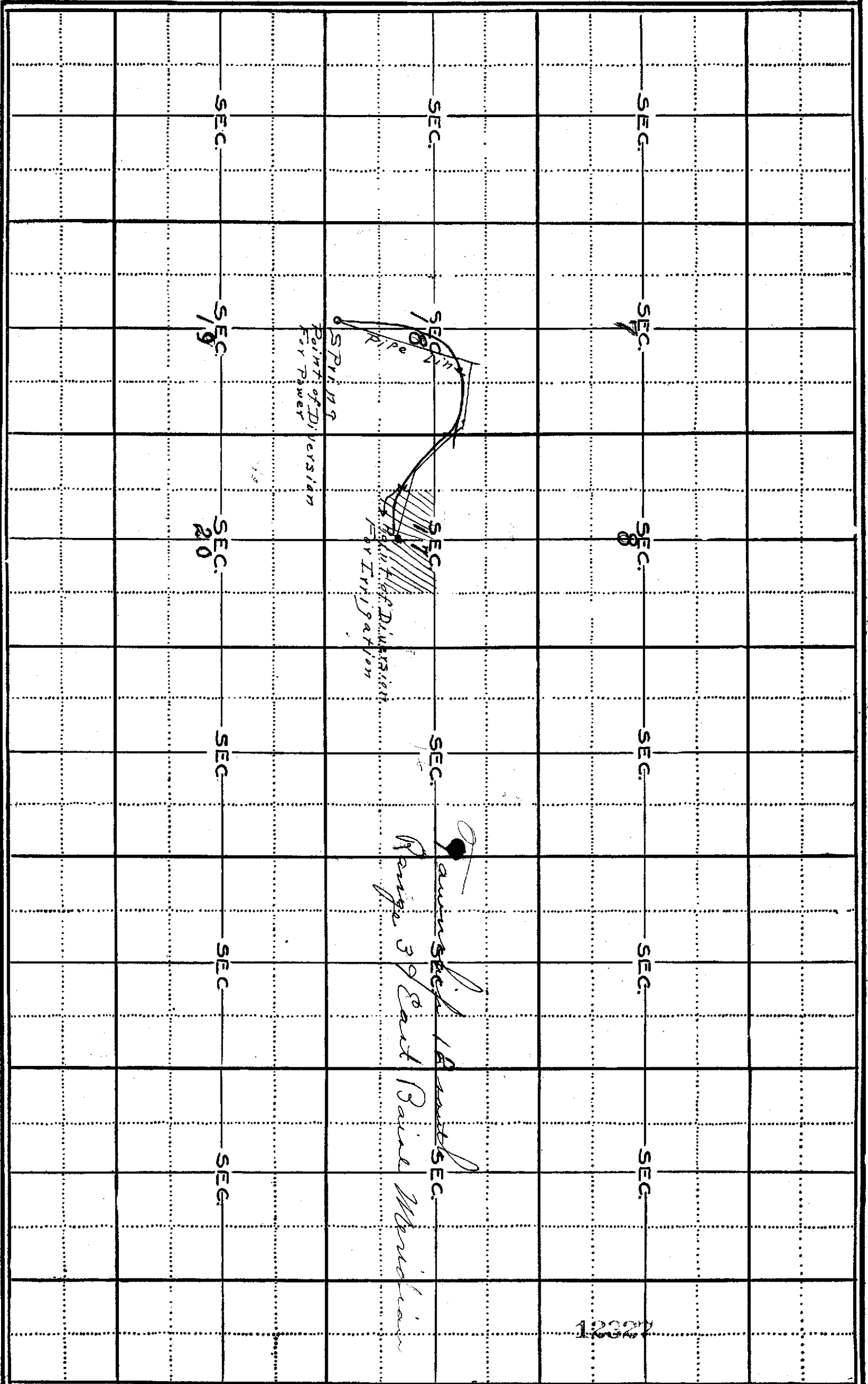
P. M. Condie



12327

Name of Applicant

C. H. Rencher



12327

State of Idaho
ENGINEERING DEPARTMENT
BOISE

12327
Permit No. ~~17634~~ Rencher.
Smith, Ericksen & Condie,
Preston, Idaho.

Boise, Idaho,

July 29, 1916.

Dear Sir:

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

J.H. Smith.

State Engineer

12327

June 5, 1916.

17634-Rencher.

Smith, Erickson & Condie,

Preston, Idaho.

The location of point of use as shown in pencil is sufficient for a filing of this kind, and same has been put in ink. The application is now O.K. except that "head" is not stated in paragraph 6 (b).

12327

RE.

17634-

A. C. SMITH
A. D. ERICKSEN
P. M. CONDIE

GENERAL PRACTICE
PROBATE WORK
NOTARY PUBLIC
AND COLLECTIONS

LAW OFFICE

SMITH, ERICKSEN & CONDIE
ATTORNEYS-AT-LAW

Preston, Idaho, June 1, 1916.

17634

State Engineer,

Epise, Idaho,

Dear Sir:-

In re Application for Permit # 17-348 of
A.H.Rencher, acting on your suggestion as set out in the inc
inclosed we are herewith incloseing application for
refiling.

Sincerely,

Smith, Ericksen & Condie,

By

A. D. Ericksen

12327

Capital News Job Rooms
Printers . Rulers . Book Binders

717 IDAHO ST., BOISE . TELEPHONE 234

Refile.

The location of pt.
of use ~~at pt. of use~~
as shown in pencil is
sufficient for a filing of
this kind, and same
has been put in ink.

The appln is now O.K.
except that "head" is
not stated in #2634
6(b).

12527

State of Idaho
Engineering Department
Boise

May 29th, 1916.

17634

Re: Application No. 17348.

Smith, Ericksen & Condie,
Preston, Idaho.

Gentlemen:-

Referring to your letter of the 27th in which you request an extension of sixty days for the completion of the above application, I have to advise that the State Engineer does not have authority to grant such extension. Statute provides that if the application is received after the expiration of the sixty-day period, that same shall be refiled with a new priority, not requiring a re-payment of fee however.

If it will take something like sixty days to complete the application, I would suggest that you mail the same in at once in its present condition for refiling, so that the new priority will not be so late.

Very truly yours,

J..E. SMITH,

State Engineer,

By

R. J. Hamilton

RFH-NLS

12327

A. D. Conklin

17634