

10/3/21
H

Beneficial use
Permit # 11968

NAME OF APPLICANT Wm C. R. Perry

SEC.

SEC.

SEC.
7

SEC.
8

SEC.
9

SEC.

SEC.

SEC.

SEC.

SEC.
17

SEC.

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SEC.

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SEC.

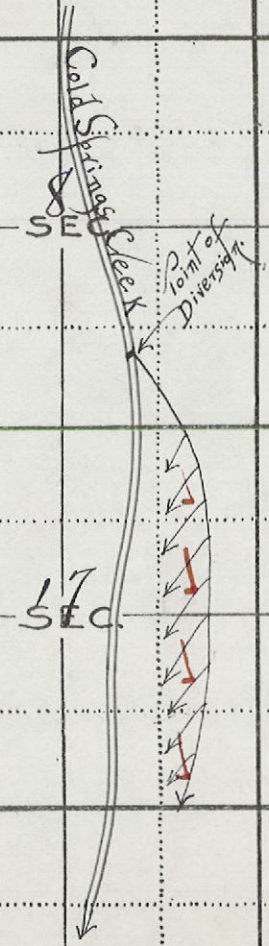
SEC.

Cold Sp. Cr.
Point of Diversion
ditch
6
12
760

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

11968

Imp. & South T. Ing. V. East B.M.



State of Idaho

License and Certificate of Water Right

Water License No. 11968

Amount 0.4 sec. ft.

Water District No. 2

Priority 7-16-16

THIS IS TO CERTIFY that WILLIAM C. RUBERRY of Glenns Ferry, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated February 18, 1916; that Permit No. 11968 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 1.4 second feet, was issued thereunder on March 22, 1918, showing that said works were completed on the 8th day of March, 1918; and that on the 6th day of August, 1921,

WILLIAM C. RUBERRY

of Glenns Ferry, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of Cold Springs Creek, a tributary of Snake River, for the purpose of irrigation, under Use Permit No. 11968 of the State Engineer

and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 6 of Licenses, at page 2905, on the 11th day of January, 1922;

The right hereby confirmed dates from July 16, 1916;

The Point of Diversion is located in the SW 1/4 SE 1/4, Sec. 8, Tp. 5 S., R. 9 E., B. M. County of Elmore.

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 0.4 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
5 S.	9 E.	17	NE 1/4 NE 1/4	15	6
			SE 1/4 NE 1/4	20	12
			NE 1/4 SE 1/4	20	--
			SE 1/4 SE 1/4	15	--

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

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 11th day of January, 1922.

W. G. SWENDSEN.
Commissioner of Reclamation.

(SEAL)

61 2048

Application No. 17272

Permit No. 11968

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

61-2048

District No. 2.

1. Name of applicant: William C. Ruberry,

Postoffice address: Glenns Ferry

County: Elmore

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 and two-fifths (1 2/5) cubic feet per second.

3. Source of water supply: Cold Springs Creek which is a tributary of Snake River.

4. Location of point of diversion: In the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 8, T. 5 S., R. 9 E.B.M.

County of Elmore

5. To be used for: Irrigation

I. Irrigation and domestic use: (a) Amount of land to be irrigated: 70

acres.

(b) In the following legal subdivisions:

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

(a) At what point:

(b) Amount of power to be generated:

H. P. under ft. head

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

(d) If so, name stream and locate

6. Estimated cost of works: \$100.00

7. Description of works for diversion:

I. Kind of works: Ditch

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) ~~Concrete~~ Ditch

width at bottom

2

feet,

width at water line

3

feet, depth of water

1

feet; diameter of pipe

inches; average grade per mile is 6 2/3 feet. Length of conduit is One miles,
and it crosses the following quarter sections:

8. The time required for the completion of the construction of such work is One (1) year

9. Time required for the complete application of the water to the proposed use is One (1)
additional years.BE IT KNOWN That the undersigned hereby makes application for a permit to appropriate the
public waters of the State of Idaho as herein set forth.

William C. Ruberry

Applicant.

By Stanton Park.

Agent.

Date of first receipt at office of State Engineer 9:00 A.M. Feb. 18, 1916.

Returned to applicant for correction

Corrected application received

APPROVAL OF STATE ENGINEER

The number of this permit is 11968

Recorded in Book 41 Page 11968 Approved March 8, 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 May 7, 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 September 8, 1916.

The whole of said work to be completed on or before March 8, 1917

Beneficial use of water appropriated in accordance herewith, to be made on or before March 8, 1918.

Witness my hand this 8th day of March, 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
5S	9E	17	15: : : 20	: : :	: : :	20: : : 15	70
			: : :	: : :	: : :	: : :	
Total number of acres to be irrigated							70

Lands to be irrigated are lands filed on by applicant.

Upon proper request of the holder of the above numbered permit, I have this 12th day of December, 1916, extended the time for completion of works thereunder to the 8th day of March, 1918.

J. H. SMITH,
State Engineer.

Permit No. 11968.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:

This is to certify that William C. Ruberry, of Glens Ferry, County of Elmore, and State of Idaho, the holder of Permit No. 11968, issued upon Application 17272, bearing date of priority of February 18, 1916, authorizing the diversion of 1 2/5 second feet of the waters of Cold Springs Creek, County of Elmore, 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 1 2/5 second feet of the waters of Cold Springs Creek; that the point of diversion of said waters is in the SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 8, T. 5 S., R. 9 E., B.M., and that the lands proposed to be irrigated by the use of said water are described as follows to-wit; E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec 17, T. 5 S., R. 9 E. B.M.

Witness my hand this 22nd day of March, A.D. 1918.

Fred A. Wilkie,

State Engineer of the State of Idaho.

EXTENSION OF TIME

Upon proper request of the holder William C. Ruberry, holder of Permit No. 11968, I have, this 16th day of January, 1919, extended the time for beneficial use of water thereunder to the 8th day of March, 1921.

Fred A. Wilkie,
State Engineer.

License issued for 0.4 second feet

Page 2905

April 25, 1939

Re: Permit No. 11968

Mr. W. C. Ruberry,
King Hill, Idaho.

Dear Sir:-

In reply to your letter of April 24th, we beg to advise that you were issued Permit No. 11968; all proofs were made under the permit, and a Certificate of Completion of Works was issued for 14 second feet. License was issued for 0.4 second feet, bearing date of priority of July 16, 1916, said license being recorded on Page 2905 Book of Licenses.

The water is appurtenant to 6 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ and 12 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17, Township 5 South, Range 9 East, B.M.

I trust that this is the information which you desire.

Mr. Spofford is out of the city today, but upon his return I shall convey your good wishes to him.

Very truly yours,

D:A

Deputy Commissioner

11968

King Hill, Idaho
April 24, 1939

Mr. James Spofford,
Boise, Idaho

Dear Mr. Spofford:

I need some information as follows.

About 1916 or 1917 I think I filed on water for beneficial use out of Cold Springs Creek to be used on the east half of northeast $\frac{1}{4}$ of Section 5 S. Rge 9 E. B. M.

I filed on an eighty acre desert claim, and I beleive I made proof in early spring of 1920 or perhaps 1921 on the land and of course would have to show source of water supply in order to make final proof.

I am wondering now - if you could find some record of my making proof of benificial use of water for the above land, and date of proof, and amount of water etc.

Am sorry to trouble you, but I wish to get this information very much, and will appreciate the favor very much if you can assist me in this matter.

Hoping you are getting along fine in your new position, I am.

With best regards,

W. C. Ruberry
W. C. Ruberry,

January 13, 1922.

Re: Permit 11968.

Mr. William C. Ruberry,
Glenns Ferry, Idaho.

Dear Sir:

We inclose herewith Water License, issued
under the above numbered Permit, together with re-
ceipt for fees.

Very truly yours,

W. G. SWENDSEN,
Commissioner of Reclamation

Encls.

By _____
Chief Clerk.

11968

Genus Ferry Ida
Jan 7 - 1920

Mr. W. C. Swanson
Commissioner of Reclamation
Boise, Ida.

Dear Sir:- As per your letter of Dec. 7 - 1919 stating
a fee of \$4.00 was required for license under
Permit No 11968. covering eighteen acres of land
under cultivation and irrigation.

Am enclosing check for \$4.00 to cover same.

Respectfully
William C. Tubery

December 2, 1921.

Re: Permit 11968.

Mr. William C. Ruberry,
Glenns Ferry, Idaho.

Dear Sir:

Upon receipt of fees in the sum of \$4.00, license will be issued under the above numbered Permit, for the land under cultivation and irrigation. The report of our examining engineer shows six acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ and twelve acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 17, Township 5 South, Range 9 East.

Very truly yours,

W. G. SWENDSEN,
Commissioner of Reclamation

CB/E

By _____
Chief Clerk.

11968

REPORT OF ENGINEER

This proof is for Beneficial UseIn Water District No. 21. State name of applicant and number of permit: Wm. C. Ruberry - 11968.2. State source of water supply: Cold Springs Creek.3. Location of point of diversion: SW¹/₄ SE¹/₄ Sec. 8-5S-9E.

4. Describe works as they exist, giving dimensions and capacities of same: Dam 16 ft long
2 ft high, earth & log construction, ditch 74 miles long,
3 ft wide 2 ft deep

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): E¹/₂ NE¹/₄, Sec. 17-5S-9E 70
acres.

NE¹/₄ NE¹/₄ Sec. 17. 6.70 acres.

SE¹/₄ " " 12 "

Total ~ 18 "

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

8. How many parties conduct water in this system?

9. Give names and amount of each right:

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

11. Describe the various tributaries en route, from point of diversion to the principal drainage stream:

Remarks:

This examination was made on the 3rd day of October 1921

(Signed)

Fred A. Johnson

Examiner.

OVER

11968

(This report must be sworn to when not made by an attache of the 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.

11968

Dist. 2.

Wm. C. Ruberry,
Glenns Ferry, Idaho.

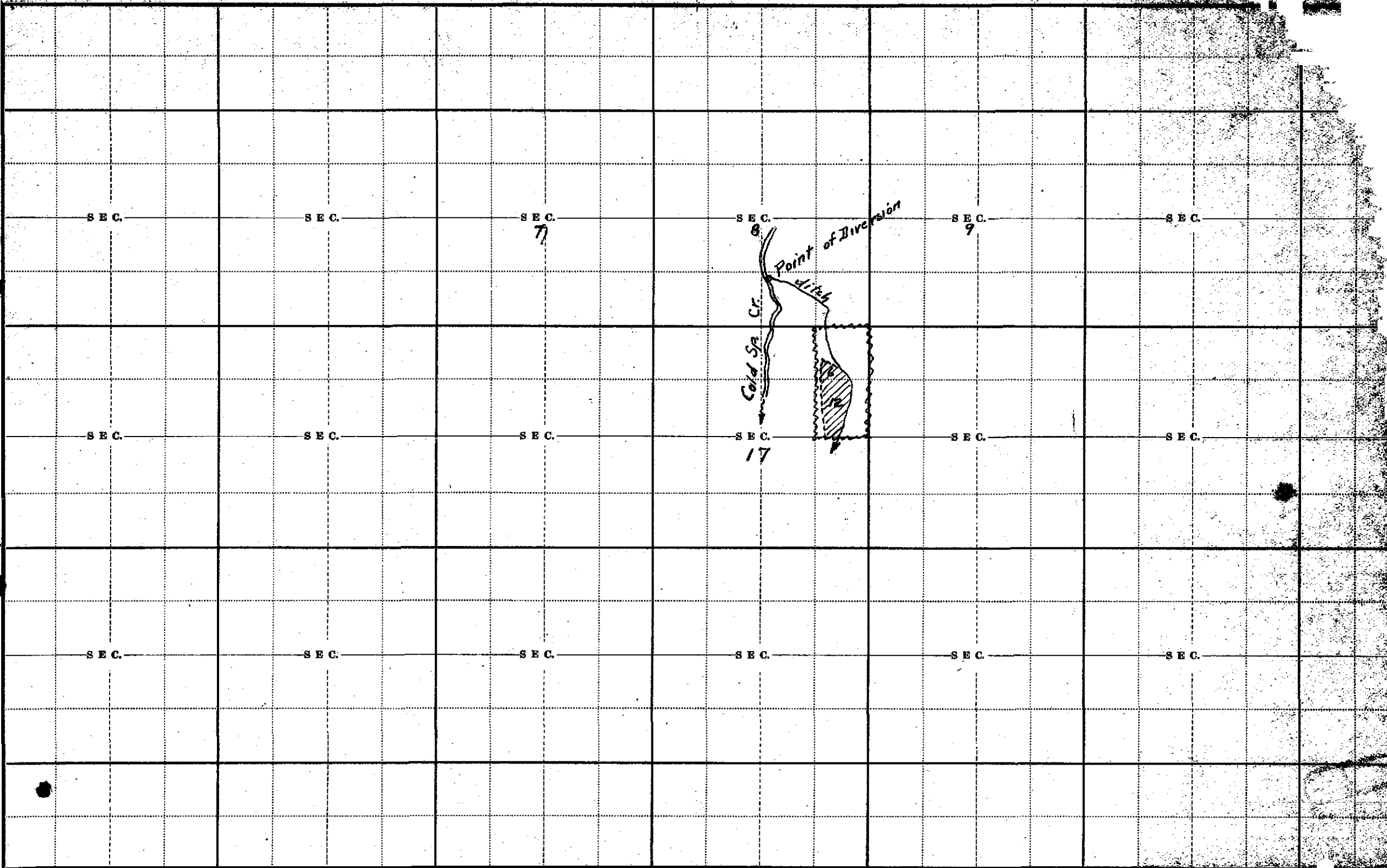
Permit 11968.

Instructions to Examiners

1. Examiners will not be permitted to examine any of the receipts 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 right 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.

(10/3/21)
H

NAME OF APPLICANT WM C. F. Perry Beneficial use
Permit # 11968



August 8, 1921.

Re: Permit 11968.

Mr. Wm. C. Ruberry,
Glenns Ferry, Idaho.

Dear Sir:

We are in receipt of depositions of proof of application of water to beneficial use under the above numbered permit, together with affidavit of publication. As soon as an examination is made by a representative of this Department as required by statute, the matter of issuing license will be taken up with you.

Very truly yours,

W. G. SWENDSEN,
Commissioner of Reclamation

By

EB

Chief Clerk.

11968

Affidavit of Publication

NOTICE FOR PUBLICATION.

Notice of Proof of Application of Water to Beneficial Use.

Notice is hereby given that at 2 p. m. on the 6th day of August, 1921, at Glens Ferry, county of Elmore, state of Idaho, before John Garland, justice of the peace, proof will be submitted of the application to beneficial use of one and 2-5 cubic feet per second of the waters of Cold Springs creek in accordance with the terms and conditions of Permit No. 11968 heretofore issued by the state engineer of the state of Idaho.

The name and postoffice address of the person or corporation holding said permit are William C. Ruberry, Glens Ferry, Idaho. The use to which said water has been applied is irrigation.

The amount applied to beneficial use is 12-5 second foot.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) E $\frac{1}{4}$ NE $\frac{1}{4}$, section 17, township 5 south, range 9 east, B. M. The date of the priority which said user is prepared to establish is July 16, 1918.

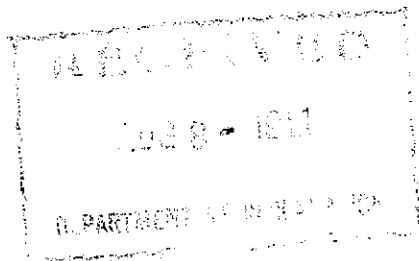
W. G. SWENDSEN,
Commissioner of Reclamation.
Aug. 16, 22, 23

I, Harmon Cline, publisher of the GLENN'S FERRY GAZETTE, a weekly newspaper published at Glens Ferry, Idaho, and having legal publication rights within the State of Idaho, do hereby solemnly swear that the notice, a true copy of which is hereto attached, was published in the full and entire regular issue of said newspaper for four consecutive weeks, beginning with the issue of July 8, 1921, and ending with the issue of July 29, 1921.

Harmon Cline

Subscribed and sworn to before me this 6th day of August, 1921.

John Garland
Justice of the Peace



11968

PERMIT NO. _____

Proof of Application of Water to Beneficial Use**Deposition of Holder**

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

Ans. William C. Ruberry, 40 years, P.O. Glenns Ferry, Idaho,
Farmer.

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. Self.

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

Ans. 11968, March 8, 1916, July 16th, 1916.

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

Ans. Cold Springs Creek, SW¹/₄ of the SE¹/₄ of Sec. 8 Tp. 5 So.

Rg. 9 East B.M.

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

Ans. Dirt and rock dam, eight feet long, two feet high, ditch
leading therefrom. Threasecond feet. Private ditch.

Ques. 6. State for what purpost 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 cultivate or natural meadow land and the nature of all improvement which have been made as a direct result of said use.

Ans. Irrigation. NE¹/₄ of the NE¹/₄ and SE¹/₄ of the NE¹/₄ of Sec.

17 Tp. 5 So. Rg. 9 E. B.M. Water is used on both subdivisions.

15 acres in the SE¹/₄ of the NE¹/₄ and ten acres in the SE¹/₄ of the NE¹/₄

Five acres of natural meadow land balance sage brush land.

Have a crop of barley growing on said land.

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

Ans. _____

Ques. 8. What is the minimum amount of water required for the 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. _____

The "natural meadow " above spoken of is not really meadow but sod land that retains moisture longer than ordinary sage brush land.

11968

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

Ans. Have used about seventy inches of water in the irrigation of the above described land and have raised thereon barley and pasture. This used of water commenced in 1917 and 1918 and has continued until date, when there was water to use.

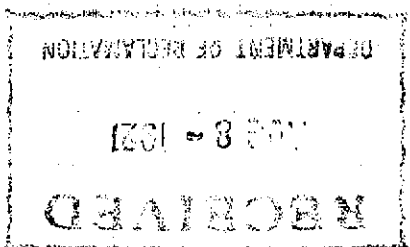
Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and right claimed thereunder.

Ans. Have used no other waters.

(Sign) *William C. Rubery*

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 Glenns Ferry County of Elmore State of Idaho, on this 6th day of August A. D. 1921.

John Gailand
Justice of the Peace for Glenns Ferry
Precinct, Elmore County, Idaho.



11968

Permit No.

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

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

Ans. Harry S. Thomson, 35, P.O. Glenns Ferry, Idaho, FarmerQues. 2. Are you acquainted with William C. Ruberry, the holder of Permit No. 11968? How long have you known him and where does he reside?Ans. Yes. About 12 years, near Glenns Ferry, Idaho.Ques. 3. Have you read or heard read said Permit No. 11968 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. Cold Spring Creek, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 8, T. 5 S. Rg. 9 E. B.M.Dirt and rock dam, two feet high, eight feet long, ditch
from same.

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 about eighty inches.

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

Ans. Irrigation, of NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ Sec. 17, Tp. 5 So. Rg. 9 E. B.M. 15 acres in SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ and 10 acres in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$. 20 acres in grain andfive acres in natural meadow.

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. Sage brush and natural meadow land. One inch to acre.

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

Ans. No.

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

Ans. Have seen crop several times, and have seen about seventy inches being applied in irrigation.

(Sign)

Harry S. Thomson

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 Glenns Ferry, County of Elmore, State of Idaho, on this 3th day of August A. D. 1921.

John Garland
Notary Public.
Justice of the Peace for Glenns Ferry
Precinct, Elmore County, Idaho.

My commission expires _____

11968

DEPARTMENT OF RECLAMATION

AUG 8 - 1921

RECEIVED

Permit No.

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

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

Ans. Frank Gross, 22, P.O. Glenna Ferry, Idaho.

Ques. 2. Are you acquainted with William C. Ruberry, the holder of Permit No. 11968? How long have you known him and where does he reside?

Ans. Since 9th of March, 1921, Near Glenna Ferry, Idaho.

Ques. 3. Have you read or heard read said Permit No. 11968, 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. Cold Springs Creek, SW¹/₄ of the SE¹/₄ Sec. 8 Tp. 5 So.

Rg. 9 E. B.M. Dark and rock, two feet high, eight feet long,

ditch from same.

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, 20 inches being used.

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 of NE¹/₄ of the NE¹/₄ and the SE¹/₄ of the NE¹/₄Sec. 17, Tp. 5 So. Rg. 9 East B.M. 15 acres in the SE¹/₄ of theNE¹/₄ and 10 acres in the NE¹/₄ of the NE¹/₄, 20 acres in grain and

five acres in natural meadow,

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. Sage brush and natural meadow land. One inch to acre.

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

Ans. No.

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

Ans. I have irrigated this land and have seen and applied
seventy inches of water thereto.

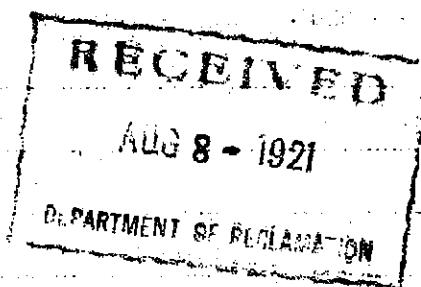
(Sign) Frank Gross

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 Glenns Ferry County of Elmore, State of Idaho, on this 3th day of August A. D. 1921.

John Garland
Notary Public
Justice of the Peace for Glenns Ferry
Precinct, Elmore County, Idaho.

My commission expires

11968



State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE

BOISE, IDAHO, July 26, 1921.

Wm. C. Ruberry,
c/o John Garland, J. P.,
Glenns Ferry, 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. 11968

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 August 6, 1921, 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 Glenns Ferry, Idaho, before John Garland, J. P.

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. SWENDSEN,

Commissioner of Reclamation.

11968

(P. O.)

Green's Ferry

(Date)

July 7-1921

Commissioner of Reclamation, Boise.

Dear Sir:

I have your letter of *July 6-1921* enclosing notice of proof under
Permit No. *11968* which will be published as you request, beginning with our issue of *July 8*

RECEIVED

JUL 8 1921

DEPARTMENT OF RECLAMATION

Harmon Blinn

11968

July 6, 1921.

Re: Permit 11968.

Mr. Wm. C. Ruberry,
Glenns Ferry, Idaho.

Dear Sir:

We are in receipt of notices for proof of beneficial use of water under the above numbered permit. One copy is being mailed to the Glenns Ferry Gazette for the required four weeks publication, and deposition blanks will be mailed to Mr. John Garland, J. P., in time for proof to be made August 6, 1921.

Your date of priority has been brought down from Feb. 28, 1906 to July 16, 1916, a period of four months and 28 days which is the length of time your proof is late. Proof should have been made March 8, 1921 but is not being made until August 6, 1921.

Very truly yours,

W. G. SWENDSEN,
Commissioner of Reclamation

By

MB

Chief Clerk.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Glenns Ferry Gazette,
Glenns Ferry, Idaho.

Boise, Idaho, July 6, 1921.

Dear Sirs:

Enclosed find Notice for Publication under Permit no. 11968 which please publish once a week for four consecutive weeks in your paper. The expense of this publication will be paid by Wm. C. Ruberry, Glenns Ferry, Idaho to whom you will please furnish proof of publication of this notice on or before date of proof.

Please promptly acknowledge receipt of this notice, and kindly mail me your first issue containing its publication that I may compare it with my records.

Yours truly,

W. G. SWENDSEN,
Commissioner of Reclamation

(P. O.)

(Date)

Commissioner of Reclamation, Boise.

Dear Sir:

I have your letter of.....enclosing notice of proof under Permit No. which will be published as you request, beginning with our issue of.....

11968

NOTICE FOR PUBLICATION

NOTICE OF PROOF OF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 2, P. m. on the 6 day of August, 1921,
at Glenus Ferry, County of Elmore, State of Idaho,
before John Garland Justice of Peace, proof will be submitted
of the application to beneficial use of One and 2/5 cubic feet per second of the
waters of Bold Springs Creek in accordance with the terms and conditions of
Permit No. 11968 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 William C. Ruberry, Glenus Ferry, Ida.
2. The use to which said water has been applied is Irrigation
3. The amount applied to beneficial use is 1 2/5 sec. ft.
4. The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) E. 1/2 NE. 1/4 Sec. 17, T. 5 S.
R. 9 E. B. M.
5. The name of the canal or ditch or other works by which said water is conducted to such place of use is Ruberry Ditch
6. The right to take water from such works is based upon Permit No. 11968
7. The source of supply from which such water is diverted is Bold Springs
Creek
8. The date of the priority which said user is prepared to establish is March 8th 1916 July 6 - 1916

SU 86 Sec 8 - 55-98

January 24, 1919.

Re Permit No. 11968.

Mr. Stanton Park,
Mountain Home, Idaho.

Dear Sir:

The application for extension of time
for Beneficial Use of water under the above
numbered permit, No. 11968, has been approved,
March 8th, 1921, being the date for proof.

Very truly yours,

FRED A. WILKIE,

State Engineer.

By _____

CB-NC

11968

State of Idaho
ENGINEERING DEPARTMENT
BOISE

Wm C. Roberg,
Glenns Ferry, Idaho.

December 3, 1918.

DEAR SIR:

I enclose herewith blank notice of Proof of Application of Water to Beneficial Use under your Permit No. ~~11968~~ 11968, 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 the date it is submitted.

Yours truly,

FRED A. WILKIE,

State Engineer.

11968

OFFICE OF STATE ENGINEER

Permit No. 11968

Application for Extension of Time for Beneficial Use Proof.

STATE OF IDAHO

County of Elmore

} ss.

William C. Ruberry, of Glenns Ferry,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. 11968

THAT under the terms and conditions of said permit, proof of beneficial use thereunder was required to be made by March 8th, 1919

THAT he has heretofore put to beneficial use none second feet of water and has irrigated _____ acres.

THAT, for the following reasons, he is unable to put to beneficial use within the required time, the remainder of the water appropriated under his permit, to-wit: Lands covered by Permit, to be irrigated, were included in a Desert Land Application, which was applied for at the time of making Water filling, March 8th, 1916. That the lands to be irrigated under this Permit, have just been allowed by the General Land Office as a Desert Land Entry, and that he has not been in a position, up to the present time to procede with any reclamation work. That he is just now beginning this work.

WHEREFORE, He asks that the State Engineer extend the time for the making of proof of beneficial use under said permit to March 8th, 19121

And further, deponent saith not.

William C. RuberrySubscribed and sworn to before me this 4th day of XIXBERTY January, 1919.O. E. Howell

Notary Public.

My commission expires June 7, 1919Date of receipt at office of State Engineer January 13, 1919

APPROVAL OF STATE ENGINEER

Fred A. Wilkie,

I, ~~Enck King~~, State Engineer of the State of Idaho, hereby extend the time for the making of proof of beneficial use under Permit to appropriate the Public Waters of the State of Idaho, No. 11968, to March 8, 1921.

Witness my hand this 16th day of January, 1919.Fred A. Wilkie11968

State Engineer.

April 3, 1918.

Re: Permit No. 11968

William C. Ruberry,
Glenns Ferry, Ida.

Dear Sir:-

Am herewith enclosing certificate of
completion of works issued under above permit,
with receipt for fees.

Very truly yours,

FRED A. WILKIE,

State Engineer.

By _____

CCW-R1730

11968

March 13th, 1918.

Re Permit 11968-11969.

Mr. William C. Ruberry,
Glenns Ferry, Idaho.

Dear Sir:--

Am in receipt of satisfactory affidavit, with fee, for proof of completion of works under Permit 11968. The certificate of completion will be issued just as soon as we can get to it.

In regard to your permit 11969 would say that it will not be necessary for you to refile the application, as you can make application for extension of time for completion of the works, thus retaining your original priority. Application should be made upon the enclosed form and should be received here within thirty days from March 8th.

Very truly yours,

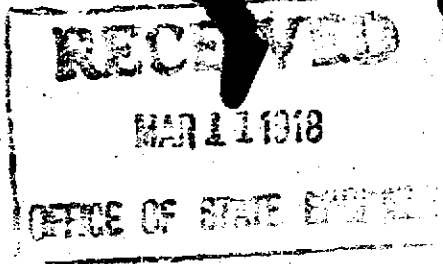
FRED A. WILKIE,

State Engineer.

F4

By_____

11968



Glenns Ferry Ida
Mar. 8-1918

State Engineer
Boise Idaho

Dear Sir:- I am enclosing affidavit
filled out of proof of completion of works
for Permit No 11968 to appropriate water
from Cold Springs Creek which I hope is satis-
factory.

Also I have Permit No 11969 which I
can not offer proof for completion of works
on account of the ditch not being completed
and wish to refile the same as per my
Permit if there has been no other filings
made since mine was made if so will
make a new filing in my book.

Please advise me concerning this last
matter. Thanking you in advance

I am Respectfully

William C. Ruberry

4-11969

11968

Permit No. 11968

OFFICE OF STATE ENGINEER

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO,

County of Elmore } SS.

William C. Tuberry, 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. 11968 and that his postoffice address is Glenns Ferry
State of Idaho

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

Cold Springs Creek

Third: That the point of diversion of said water is SW 1/4 SE 1/4 Sec. 8 Twp. 5 S.

Range 9 East B.M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Mar 8 1918.

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 were (or were not) fully completed and consisted of the following:

I. Kind of works:

Small dam of dirt & rocks not over 18 in
high and ditch
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam 1 1/2 feet, length of dam at top 12 feet, length of dam at bottom 9 feet. Material used in construction Rock & Dirt

(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 2 feet, width at water

(State whether ditch, flume or pipe)

line 3 feet, depth of water 1 1/4 feet; diameter of pipe _____ inches;

average grade per mile is 6 2/3 feet. Length of conduit is 1 miles.

Seventh: That said works are capable of conducting to the place of intended use

_____ second feet of water.

Eighth: That water appropriated under said permit is available for 70 acres of land described as follows:

N.E. 1/4 S.E. 1/4 Sec. 17 Range 9 E Twp. 5 S.
N.E. 1/4 N.E. 1/4 S.E. 1/4 N.E. 1/4 E. 1/2 S.E. 1/4 Sec. 17 Twp. 5 S.
R. 9 E. B.M.

Ninth: Remarks: That

This water filing was amended to
cover E. 1/2 N.E. 1/4 Sec. 17 Twp. 5 S. R. 9 E. B.M.
Also E. 1/2 was amended to E. 1/2 N.E. 1/4 Sec. 17
and the E. 1/2 S.E. 1/4 taken as H.E.

William C. Tuberry
(Sign here)

Subscribed and sworn to before me this Eigh day of March, 1918.

Geo. W. Brown

Notary Public.

My commission expires Jan 22 - 1919

11968

11968

December 28th, 1916.

Re Permits 11968-9- Wm. C. Ruberry.

Mr. Stanton Park,
Mountain Home, Idaho.

Dear Sir:--

The applications for extension of time
under above permits have been approved and duplicate
copies are herewith returned to you.

Very truly yours,

J. E. SMITH,

State Engineer.

2ET

By _____

11968

Office of
Anton Park, C. E.
Mountain Home, Idaho

December the 12th, 1916.

J. H. Smith, State Engineer,
Boise, Idaho.

Dear Sir:-

Enclosing herewith Applications for Extensions
of time for Permits Nos. 11968 - 9, William C. Ruberry,
Glenns Ferry, Idaho.

Please acknowledge receipt and oblige,

Very truly yours,

Anton Park

11968

*Please mail
Extensions to*

Application for Extension of Time.

William C. Ruberry, of Glens Ferry
State Idaho, being first duly sworn, upon his oath deposes and says:

He is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho
No. 11968

Under the terms and conditions of said permit, construction work thereunder was required to be
completed by March 8th, 1917.

That he has heretofore performed the following work described under said permit;
Placed Diversion Dam in Creek and built canal entire length to land
to be irrigated, but that Ditch is not the size required and not of
a size he wishes to have the same, and that work already done has
cost approximately \$75.00 besides labor.

costing \$

THAT he is unable to complete the remainder of the work within the required time, for the fol-
lowing reasons, to-wit:

that the early Winter, coming this year in November has frozen up
the ground so that he was not able to do the work as contemplated,
and that it will not be open weather enough in the Spring to com-
plete the work in time for Proof.

WHEREFORE, He asks that the State Engineer extend the time for the completion of construc-
tion work under said permit, to March 8th, 1918.

And further, deponent saith not

Subscribed and sworn to before me this 11th day of December, 1916

Notary Public.

My commission expires Jan 2nd 1919

Date of receipt at office of State Engineer December 12th, 1916.

APPROVAL OF STATE ENGINEER.

J.H. Smith

I, ~~AXE Robinson~~, State Engineer of the State of Idaho, hereby extend the time for the com-
pletion of construction work under Permit to Appropriate the Public Waters of the State of Idaho,
No. 11968, to March 8th, 1918.

Witness my hand this 12th day of December, 1916.

(over)

11968 State Engineer.

Effective April 10, 1911.

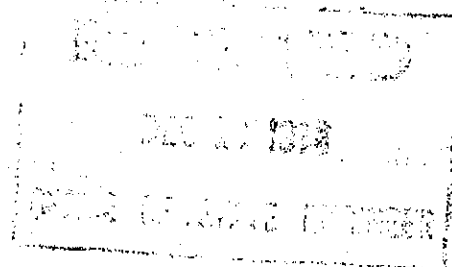
STATE ENGINEER'S OFFICE.

*Rules and Regulations for Extension of Time for
Construction of Work Under Permit.*

House Bill No. 123 approved March 9th, 1911, provides that, where the State Engineer has limited time for completion of construction of necessary works under a permit to appropriate the public waters, to less than five years, he may, for good cause shown, extend such time as he may deem necessary.

To obtain such extension of time, the permit holder should fill out and file with the State Engineer two copies of the affidavit found upon the reverse side of this sheet.

(over)



State of Idaho
ENGINEERING DEPARTMENT

F. P. KING,
STATE ENGINEER.

BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

William C. Ruberry,
Glens Ferry, Idaho

BOISE, IDAHO, **December 1, 1916.**

DEAR SIR:

Under the terms of your permit No. **11968**, you are required to complete your diversion works on or before **March 8, 1917**. 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,

J. H. SMITH

~~XXXXXXXXXX~~

State Engineer.

11968

State of Idaho
ENGINEERING DEPARTMENT
BOISE

Permit #11968-Ruberry,

Mr. Stanton Park,
Mountain Home, Idaho.

Boise, Idaho,

March 8, 1916.

Dear Sir:

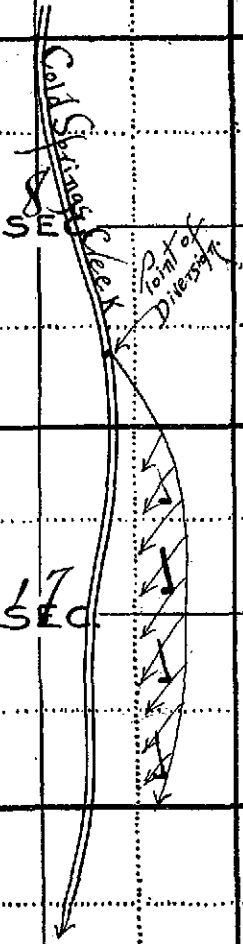
I enclose herewith above numbered permit. BE SURE TO NOTE LIMITATIONS AND
CONDITIONS OF SAME as given under approval of State Engineer on the third page.

J. H. Smith.

State Engineer

11968

Imp 3 South 1/2 Sec 17 East 3rd



Permit Map No. 11968

As Approved

MAR 8 1916

BY
J. H. SMITH
STATE ENGINEER