

William Rodgers



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A hand-drawn sketch of a coordinate system with a grid. A line labeled "North" is drawn at an angle. A point on this line is labeled "Point of divergence".

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Amended
11419

See
back

County: Blaine
Stream: North Creek.
Amount: 2.4 cu.ft.
Use: Irrigation
Priority: June 1 1915.

2035

STATE OF IDAHO

Water License No. 11419.....

WATER DISTRICT NO. 9.

WHEREAS, On the 1st day of June , A. D. 1915, WILLIAM RODGERS ,

of Howe , County of Jefferson State of Idaho , duly made application (No. 16475) to me for a permit to use 3.2 cubic feet per second of the waters of North Creek, in Water District No. 9 ,

County of Blaine , State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 17th day of July , A. D. 1915, Permit No. 11419 was issued to said applicant for the diversion of said water and providing for the completion of the works of diversion therein described on or before the 17th day of July , A. D. 1917 , and for the application to beneficial use of said water on or before the 17th day of July , A. D. 1919 , and,

WHEREAS, On the 1st day of May , A. D. 1916 , WILLIAM RODGERS ,

the holder of said permit, duly made proof of the completion of adequate works for the diversion of 3.2 cubic feet per second of said waters, as evidenced by my Certificate No. 11419 , dated June 14th, 1916 , confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 3.2 cubic feet per second of said water , with date of priority of June 1, 1915 , and

WHEREAS, On the 1st day of May , A. D. 1916 , WILLIAM RODGERS ,

the holder of said permit, duly made proof of the application to beneficial use of 2.4 cubic feet per second of said water:

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

WILLIAM RODGERS ,

of Howe , County of Jefferson , State of Idaho , the holder and owner of said Permit No. 11419 , a perpetual right, dating from June 1, 1915 , to the use of 2.4 cubic feet per second of the waters of North Creek ,

in the County of Blaine and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 31, T. 8 N., R. 29 E.B.M. ,

and conducted to and upon 120 acres, divided as follows: 10 acres in Lot 3; 20 acres in Lot 4; 10 acres in NW $\frac{1}{4}$ of SW $\frac{1}{4}$; 30 acres in SE $\frac{1}{4}$ of SW $\frac{1}{4}$; 10 acres in NW $\frac{1}{4}$ of SE $\frac{1}{4}$ and 25 acres in SW $\frac{1}{4}$ of SE $\frac{1}{4}$, all in Sec. 31, T. 8 N., R. 29 E.B.M.; 5 acres in Lot 3 and 10 acres in Lot 4, in Sec. 6, T 7 N., R. 29 E.B.M.,

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

WITNESS, My hand and the seal of my office at Boise, Idaho, this 14th day of June , A. D. nineteen hundred and Sixteen.

J. H. SMITH.

(Seal)

State Engineer:

33-2033

33-2023

No.16475.

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: William Rodgers

Postoffice address: Howe

County: Jefferson

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 three and 1/5 cubic feet per second.

3. Source of water supply: North Creek.

4. Location of point of diversion: About 15 rods SE from N.E. corner of SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 31,T. 8 N., R. 29 E.B.M., in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 31, T. 8 N., R. 29 E.B.M.
County of Blaine

5. To be used for: Irrigation and domestic.

I. Irrigation and domestic use: (a) Amount of land to be irrigated: 160 acres.

(b) In the following legal subdivisions: In NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 31. Tp. 8 n., R. 29 E.B.M., Practically all of this land is to be irrigated, but can not give exact amount.

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

(a) At what point:

(b) Amount of power to be generated:

H. P. under ft. head

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

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

6. Estimated cost of works: \$200.00

7. Description of works for diversion:

I. Kind of works: Ditch and dam.

II. Dimensions of works:

(a) Height of dam 4 feet, length of dam at top 10 feet,

length of dam at bottom 8 feet. Material used in construction: Earth and stone.

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

Height 2 feet. (d) Conduit ditch width at bottom 2 $\frac{1}{2}$ feet,

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

inches; average grade per mile is 8 feet. Length of conduit is $\frac{1}{2}$ miles,
and it crosses the following quarter sections: The SE $\frac{1}{4}$ and SW $\frac{1}{4}$, Section 31, Township 8

North, Range 29 East B.M.

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

9. Time required for the complete application of the water to the proposed use is 2 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 Rodgers.

Applicant.

By

Agent.

Date of first receipt at office of State Engineer 9:00 A M June 1, 1915.

Returned to applicant for correction June 10, 1915.

Corrected application received July 5, 1915.

APPROVAL OF STATE ENGINEER

The number of this permit is 11419

Recorded in Book 39 Page 11419 Approved July 17, 1915.

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

Bond in the sum of to be filed on or before

Work to begin on or before September 16, 1915, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before July 17, 1916.

The whole of said work to be completed on or before July 17, 1917.

Beneficial use of water appropriated in accordance herewith, to be made on or before July 17, 1919.

Witness my hand this 17th day of July, 1915.

J. H. Smith,

State Engineer.

Remarks:

Permit No. 11419.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:-

This is to certify that William Rodgers, of Howe, County of Jefferson, and State of Idaho, the holder of Permit No. 11419, issued upon Application No. 16475, bearing date of priority of June 1, 1915, authorizing the diversion of 3.2 second feet of the waters of North Creek, County of Blaine, 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 3.2 second feet of the waters of North Creek; that the point of diversion of said waters is in the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 31, T. 8 N., R. 29 E.B.M., and that lands proposed to be irrigated by the use of said water are described as follows, to-wit; Lots 3 & 4, NE $\frac{1}{4}$ of SW $\frac{1}{4}$, SE $\frac{1}{4}$ of SW $\frac{1}{4}$, NW $\frac{1}{4}$ of SE $\frac{1}{4}$, and SW $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 31, T. 8 N., R. 29 E.B.M., and Lots 3 & 4, Sec. 6, T. 7 N., R. 29 E., B.M. containing 160 acres.

Witness my hand this 14th day of June, A.D. 1916.

J. H. SMITH,

State Engineer of the State of Idaho

License issued for 2.4 second feet

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APPLICATION FOR AMENDMENT TO PERMIT TO APPROPRIATE

THE PUBLIC WATERS OF THE STATE OF IDAHO.

No....11419.

COMES NOW, William Rodgers, and represents to the State Engineer of the State of Idaho; that he is the owner and holder of Permit to appropriate the public waters of the State of Idaho, No. 11419, and requests that the list of lands to be irrigated as described in said permit, be changed to read as follows:

Lot 3 -Sec. 31, T. 8 N., R. 29 E.B.M.	10 acres in cultivation.
Lot 4 " " " " " "	20 acres in cultivation.
NE $\frac{1}{4}$ SW $\frac{1}{4}$ " " " " " "	10 acres in cultivation.
SE $\frac{1}{4}$ SW $\frac{1}{4}$ " " " " " "	30 acres in cultivation.
NW $\frac{1}{4}$ SE $\frac{1}{4}$ " " " " " "	10 acres in cultivation.
SW $\frac{1}{4}$ SE $\frac{1}{4}$ " " " " " "	25 acres in cultivation.
Lot 3, Sec. 6, T. 7 N., R. 29 E. B.M.	5 acres in cultivation.
Lot 4 " " " " " "	10 acres in cultivation.

making a total of 160 acres.

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

Signed at Arco, Idaho, this 3rd day of June, 1916.

William Rodgers.

Date of first receipt at office of State Engineer June 12, 1916.

APPROVAL OF STATE ENGINEER.

I, J. H. SMITH, State Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 11419. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

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

J. H. SMITH.

State Engineer.

QUITCLAIM-DEED

THIS-INDENTURE,-MADE-THIS-11th-day-of-September,-in-the-year-of-our-Lord-one
thousand-nine-hundred-and-twenty-eight-between-BEN

June 20th, 1916.

Mr. Wm. Rodgers,
Howe, Idaho.

Dear Sir:-

Enclosed herewith please find your application for amendment to permit No. 11419, which was approved June 12th, 1916; also amended permit map.

Very truly yours,

J.H. EMMETT,

State Engineer.

By _____

Encl.
Appl. for Amend.
Amend. Permit Map.

11419

Name of Applicant William Rodgers.

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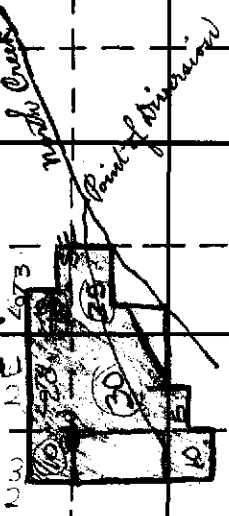
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R. 298 east

Amended 11419

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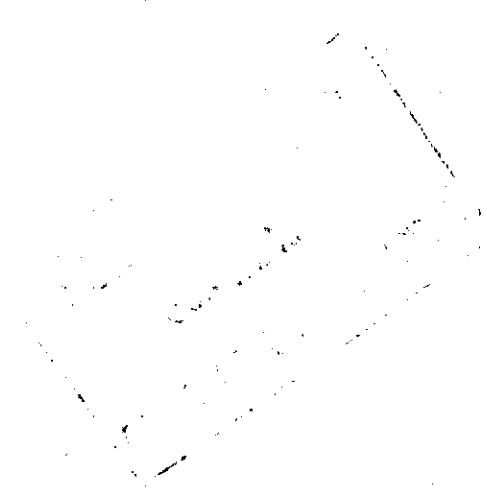
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Permit Map No. **11419**

As Approved

JUN 20 1916

BY
J. H. SMITH
STATE ENGINEER



June 16, 1916.

Re Permit 11419.

William Rodgers,
Howe, Idaho.

Sir:--

Enclosing herewith certificate and License
issued under above permit, with receipts for fees.

A. H. SMITH,
State Engineer.

By _____

C&L-R8339-8340

11419

May 23, 1916.

Re Permit 11419.

William Rodgers,
Howe, Idaho.

Sir:--

According to the report of our examining engineer, which has just been filed, we find a little discrepancy in the description of the lands to be irrigated under your permit. The report is as follows:

Lot 3-Sec.31-	T. 8 N. R. 29 E.B.M.	10 acres in cultivation.
Lot 4-	" " " "	20 "
NE $\frac{1}{4}$ SW $\frac{1}{4}$	" " " "	10 "
SE $\frac{1}{4}$ SW $\frac{1}{4}$	" " " "	30 "
NW $\frac{1}{4}$ SE $\frac{1}{4}$	" " " "	10 "
SW $\frac{1}{4}$ SE $\frac{1}{4}$	" " " "	25 "
Lot 3- Sec. 6-	T. 7 N., R. 29 E.B.M.	5 "
Lot 4-	" " " "	10 "

The discrepancy should be corrected by making application for amendment of the permit, upon the enclosed form, accompanied by maps in duplicate.

The fees due for proof of completion of works is \$5.00 and for beneficial use of water \$16.00, being \$2.00 for each forty acre tract, or fraction, under cultivation.

Upon receipt of the application for amendment and fees due, the certificate and license will be issued. I herewith return you money order in the sum of \$12.00, sent with your proof papers May 3rd.

Very truly yours,

J. H. SMITH,
State Engineer.

11419

REPORT OF ENGINEER

1. State name of applicant and number of permit: William Rodgers - Permit No. 11419.
2. State source of water supply: North Creek
3. Location of point of diversion: About 15 rods S.E. from N.E. Corner of SW 1/4 of SE 1/4 Sec. 31, T. 8 N. R. 29 E. B.M. (In SE 1/4 SE 1/4 Sec. 31, T. 8 N. R. 29 E. B.M.)
4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: _____
5. Describe works as they exist, giving dimensions and capacities of same: _____

Diversion dam of earth, rock, and weed - 8' long - 3' high

Ditch { 2.5 wide on bottom
3.0 wide at water level
1.0 depth of water
grade about 50' per mile } Capacity 4 Second Feet

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

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): See Remarks 2.

In Lot 3 - Sec. 31 - T. 8 N. R. 29 E. B.M. - 10 Acres in cultivation.

In Lot 4 - Sec. 31 - 20

In NE 1/4 SW 1/4 - Sec. 31 - 10

In SE 1/4 SW 1/4 - Sec. 31 - 30

In NW 1/4 SE 1/4 - Sec. 31 - 10

In SW 1/4 - SE 1/4 - Sec. 31 - 25

In Lot 3 - Sec. 6 - T. 7 N. R. 29 E. B.M. - 5

In Lot 4 - Sec. 6 - 10

Total - - - - - 120 Acres in cultivation.

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

Remarks: 1. North Creek sinks entirely within about 1 mile of the Rodgers Point of Diversion if allowed to flow past.

2. Land is on Forest Reserve and for description by metes and bounds, see map. This varies slightly from the place of use described in the permit.

This examination was made on the 9th day of May 1916.

(Signed) Samuel E. Vance, Jr.

Examiner.

11419

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

STATE OF IDAHO

County of _____

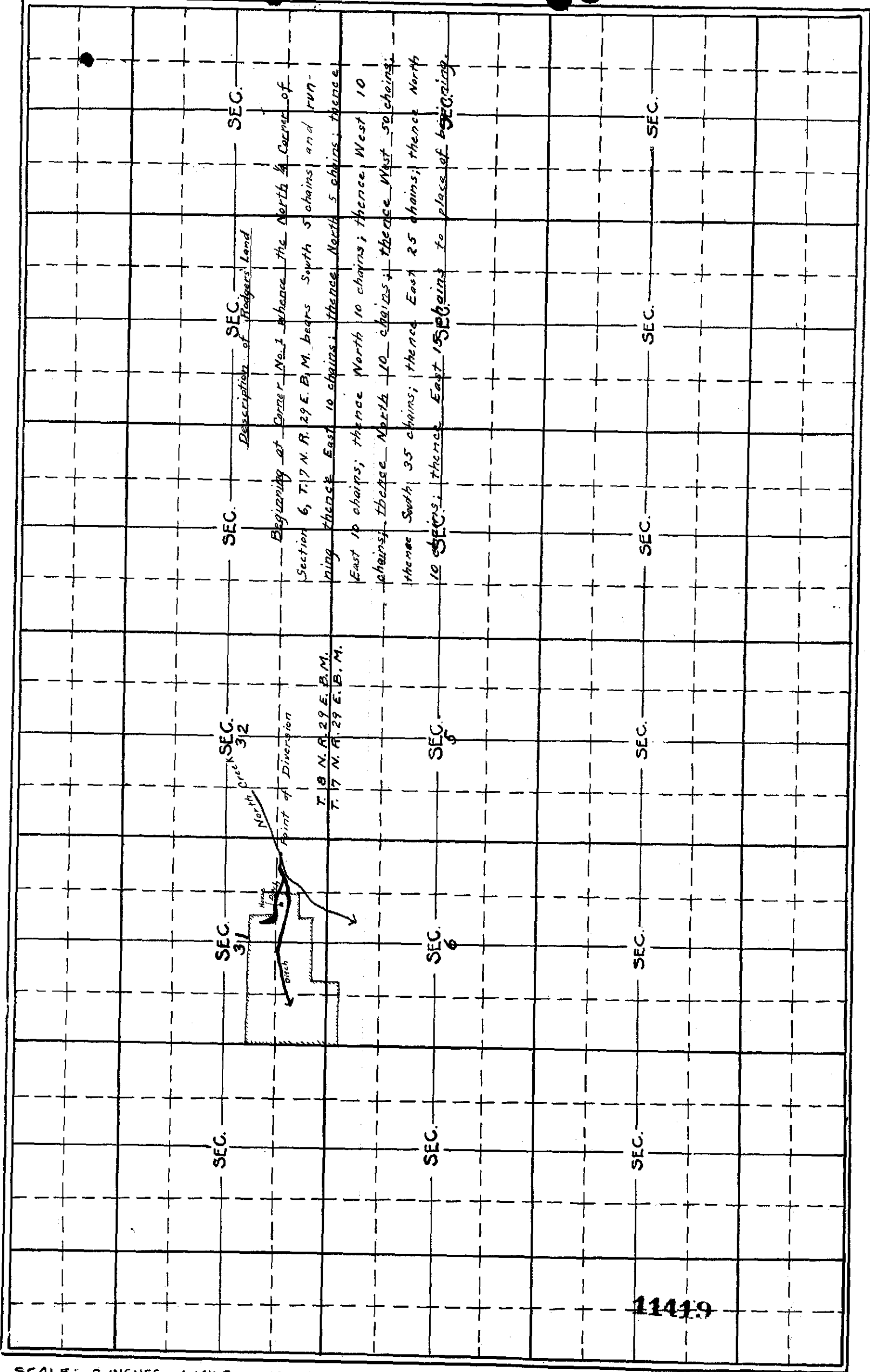
} ss.

_____, 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 _____ 191____

Notary Public.

My Commission Expires _____



11419

May 3, 1916.

Re Permit No. 11419.

William Rodgers,
Howe, Idaho.

Sir:-

We are today in receipt of depositions, affidavit of publication and money order for fees, in the sum of \$12.00, for proof of use of water under above permit. As soon as the report of our examining engineer can be made, the matter of issuing the license will be taken up.

Very truly yours,

J. H. SMITH,

State Engineer.

By _____

11419

Affidavit of Publication

I, C. A. Bottolfsen, publisher of **THE ARCO ADVERTISER**, published weekly at Arco, Idaho, do solemnly swear that a copy of the notice, as per clipping attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof, for Five consecutive weeks, commencing with the issue dated March 31, 1916, and ending with the issue dated April 21, 1916.

C. A. Bottolfsen

Subscribed and sworn to before me this 1st day of May, 1916.

*My commission expires
August 27, 1917.*

J. C. Salt
Notary Public.

16443

NOTICE FOR PUBLICATION.

Notice of Proof of Application of Water to Beneficial Use.

Notice is hereby given that at 10 a. m. on the 1st day of May, 1916, at Arco, County of Blaine, State of Idaho before T. C. Salt, Notary Public, proof will be submitted of the application to beneficial use of three and two-tenths (3.2) cubic feet per second of the waters of North Creek, in accordance with the terms and conditions of Permit No. 11419, 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 Rodgers, Howe Idaho.

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

3. The amount applied to beneficial use is three and two-tenths (3.2) cubic feet per second.

4. The place where said water is used is NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, Twp. 8 N., R. 29 E. B. M.

5. The right to take the water from such works is based upon Permit No. 11419.

6. The source of supply from which such water is diverted is North Creek.

7. The date of the priority which said user is prepared to establish is June 1, 1915.

5-8. J. H. SMITH,
State Engineer.

PERMIT No. 11419

Proof of Application of Water to Beneficial Use

DEPOSITION OF HOLDER

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

Ans. William Rodgers, 31 years of age.

Occupation, Farmer. P. O. Address, Howe, 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. No. 11419, dated July 17, 1915. Date of Priority, June 1, 1915.

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

Ans. North Creek. About 15 rods SE. from N.E. corner of SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, T. 8N., R. 29 E., B. M., in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, T. 8 N., R. 29 E., B. M.

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

Ans. Ditch and Dam. Height of dam 4 feet, length on top 10 feet, length at bottom 8 feet, constructed of earth and stone. Ditch 2 $\frac{1}{2}$ feet wide on bottom, 3 feet wide at water line, depth of water 2 feet. Headgate 2 feet wide and 2 feet high. Said works will convey 300 inches of water from point of diversion to place of use. Ditch is known as Rodgers 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. Water is used for irrigation purposes on NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31 T. 8 N., R. 29 E., B.M. 10 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, 20 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, 20 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 30 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, 25 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 25 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, T. 8 N., R. 29 E., B. M., have actually been irrigated with said water. The land is all cultivated land, and has been reclaimed from a desert condition by the use of said water.

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.

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.

11419

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

Ans. In the year 1915, said water was used for irrigating 130 acres of said land, from April 20 to September 1. The amount of water so used was 160 inches, or three and one-fifth cu. ft. per second.

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. Have not used any other water.

(Sign) *William R. Adger*

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 Arco, Blaine, County of

Blaine, State of Idaho, on this 1st day of May.

A. D. 1916.

J. B. Salt

Notary Public
Residence, Arco, Idaho.

11419

Permit No. 11419.

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

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

Ans. Warren S. Conger, 48 years of age,

Livery Stable proprietor, P. O. Address, Arco, Idaho.

Ques. 2. Are you acquainted with William Rodgers, the holder of Permit No. 11419? How long have you known him and where does he reside?

Ans. Yes. Have known him 16 years. Resides at Howe, Idaho.

Ques. 3. Have you read or heard read said Permit No. 11419, 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. North Creek. Point of diversion, about 15 rods SE. of N.E. corner of SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, T. 8 N., R. 29 E., B. M., in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, T. 8 N., R. 29 E., B. M. Works of diversion, are Dam Ditch. Dam is 4 feet high, 10 feet long on top, 8 feet long on bottom, constructed of earth and stone. Ditch is 2 $\frac{1}{2}$ feet wide on bottom, 3 feet wide at water line, depth of water 2 feet.

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. Said works will safely conduct 6 cu. ft. per second of water to place of use, and I have that much so conveyed.

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. Water is used for irrigation purposes on NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, T. 8 N., R. 29 E., B.M.. 10 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, 20 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, 20 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 30 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$, 25 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 25 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, T. 8 N., R. 29 E., B. M., have actually been irrigated with said water. The land is all cultivated land, and has been reclaimed from a desert condition by the use of said water.

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. The land is a sandy loam with some gravel, and will require at least 1 inch of water per acre for profitable cultivation.

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

Ans. I have not.

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. In the year 1915, I saw said water used for irrigating 130 acres of the said land, from April 20 to September 1, The amount of water so used was at least 160 inches, or three and one-fifth cu. ft. per second.

(Sign) Warren S. Canger

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 Arco, County of Blaine, State of Idaho, on this 1st day of May A. D. 1916.

J. V. Salt

Notary Public.
Residence, Arco, Idaho.

My Commission Expires August 27, 1917.

11419

Permit No. 11419.

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

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

Ans. Lorenzo Fallert, 44 years of age,

Occupation Farmer. Residence and P. O. Address, Howe, Idaho.

Ques. 2. Are you acquainted with William Rodgers, the

holder of Permit No. 11419? How long have you known him and where does he reside?

Ans. Have known him 25 years. He resides at Howe, Idaho.

Ques. 3. Have you read or heard read said Permit No. 11419, 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. North Creek. Point of diversion about 15 rods SE. of N.E. corner of SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, T. 8 N., R. 29 E., B.M., in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, T. 8 N., R. 29 E., B.M.. Works of diversion are Dam and Ditch. Dam is 4 feet high, 10 feet long on top, 8 feet long on bottom, constructed of earth and stone. Ditch is 2 $\frac{1}{2}$ feet wide on bottom, 3 feet wide at water line, depth of water 2 feet.

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. Said works will safely conduct 6 cu. ft. per second of water to place of use, and I have seen that amount so conveyed.

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. Water is used for irrigation purposes on NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, T. 8 N., R. 29 E., B. M. 10 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, 20 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, 20 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 30 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, 25 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 25 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, T. 8 N., R. 29 E., B. M., have actually been irrigated with said water. The land is all cultivated land, and has been reclaimed from a desert condition by the use of said water.

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. The land is a sandy loam with some gravel, and will require at least 1 inch of water per acre for profitable cultivation.

11419

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

Ans. I have not,

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. In the year 1915, I saw said water used for irrigating 130 acres of the said land, from April 20 to September 1. The amount of water so used was at least 160 inches, or three and one-fifth cu.ft. per second.

(Sign)

Lorenzo Fallert

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 Arco, County of Blaine, State of Idaho, on this 1st day of May, A. D. 1916.

J. V. Salt,

Notary Public.
Residence, Arco, Idaho.

My Commission Expires August 27, 1917.

11419

Permit No. 11419.

OFFICE OF STATE ENGINEER

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO,

County of Blaine

} ss.

William Rodgers

, 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. 11419 and that his postoffice address is Howe, Jefferson County,
State of Idaho.

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

North Creek.

Third: That the point of diversion of said water is About 15 rods SE. from N.E. corner of SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, T. 8 N., R. 29 E., B.M., in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, T. 8 N., R. 29 E., B.M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by July 17, 1917.

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

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: Dam and Ditch.

(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam 4 feet, length of dam at top 10 feet, length of dam at bottom 8 feet. Material used in construction Earth and stone.

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir _____ acre feet.

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

(d) Conduit ditch width at bottom 2 $\frac{1}{2}$ feet, width at water line 3 feet, depth of water 2 feet; diameter of pipe _____ inches;

(State whether ditch, flume or pipe)

average grade per mile is 8 feet. Length of conduit is $\frac{1}{2}$ miles.

Seventh. That said works are capable of conducting to the place of intended use 6 second feet of water.

Eighth. That water appropriated under said permit is available for 160 acres of land described as follows: NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, T. 8 N., R. 29 East, B. M.

Ninth. Remarks: That

William Rodgers

(Sign here.)

Subscribed and sworn to before me this 1st day of May, 1916.

My commission expires August 27, 1917.

T. S. Salt

Notary Public.

Residence, Arco, Idaho.

STATE OF IDAHO
ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE

William Rodgers,
c/o T.C Salt,
Arco, Idaho.

BOISE, IDAHO, April 19, 1916.

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of application of water to beneficial use under your Permit No. 11419.

DEPOSITION OF PERMIT HOLDER,

DEPOSITIONS OF TWO WITNESSES.

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

1. On May 1st, 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 Arco, before T.C. Salt.

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

Yours truly,

J. H. Smith,

State Engineer.

11419

March 6, 1916.

Re Permit 11419.

Mr. Wm. Rodgers,
Howe, Idaho.

Sir:--

Replying to your letter, giving notice of intention to make proof on May 1st, would say that the notice for publication will be mailed to the Arco Advertiser in time for publication four full weeks prior to May 1st and deposition blanks will be mailed to Mr. T. C. Salt, at Arco.

Very truly yours,

J. H. SMITH,

State Engineer.

By _____

11419

Houl
Ida

Mar 1st 1914

J. H. Smith
State Engineer
Boise Ida

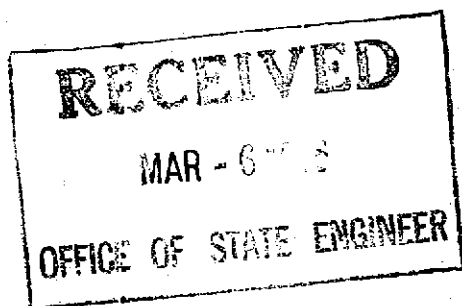
Kind sir

I have completed the
the work on my water
and it is my desire to
Make final Proof of
Completion of works, also
Proof of application of water
to Beneficial use before
J.C. Salt Notary Public
Arco Ida on May 1st,
1914. Mr Wm Rodgers

Houl

Permit # 11419 11419 Ida

Fill out report. Include me
and 75-6 with deep B^o



NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 10 a. m. on the 1st day of May, 1916,
 at Arco, County of Blaine, State of Idaho,
 before T. C. Salt, notary public, proof will be submitted
 of the application to beneficial use of three and two-tenths (3.2) cubic feet per second of the waters of
North Creek, in accordance with the terms and conditions of Permit No 11419,
 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 Rodgers, Howe, Idaho.

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

3. The amount applied to beneficial use is three and two-tenths (3.2) cubic feet per second.

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

NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31,
 Twp. 8 N., R. 29 E.B.M.

~~XXXXXXXXXX~~ of the ~~above described~~ ~~water~~ ~~is~~ ~~diverted~~ ~~from~~ ~~the~~ ~~source~~ ~~of~~ ~~use~~ ~~is~~

5 The right to take the water from such works is based upon Permit No 11419.

6 The source of supply from which such water is diverted is North creek.

7 The date of the priority which said user is prepared to establish is June 1, 1915.

J. H. Smith,

State Engineer.

11419

State of Idaho
ENGINEERING DEPARTMENT
BOISE

Permit # 11419.

Mr. William Rodgers,

Howe, Idaho.

Boise, Idaho,

July 22, 1915.

Dear Sir:

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

J. H. Smith.

State Engineer

11419

Name of Applicant.....

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

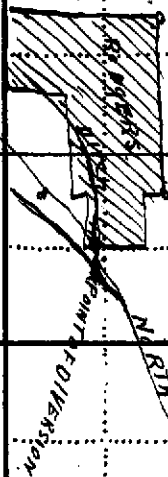
SEC.

SEC.

SEC.

SEC.

SEC.



Mark J. Williams
Rogers

11419

T O H. R 21 E B M.

June 10, 1915.

16475.

William Rodgers,
Howe, Idaho.

In paragraph 5 I (b) of the blank give the legal description of each 40 acre tract, any portion of which is to be irrigated, and state the approximate acreage to be irrigated in each 40.

August 9, 1915

11419

16475-VFR. 10210.

GB.