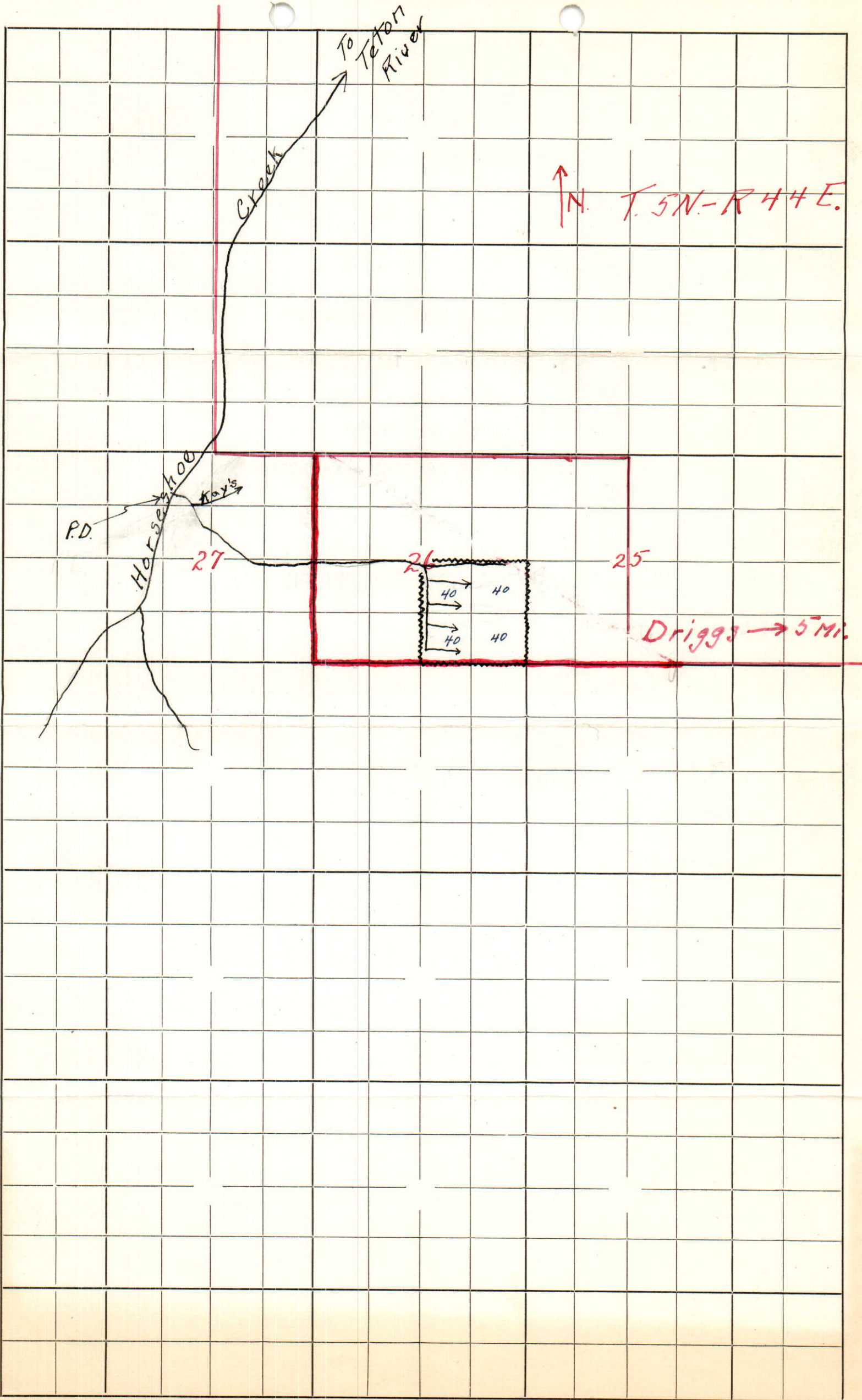




AFFIDAVIT OF PUBLICATION

State of Idaho,
County of Teton, } ss.

I, VE. Lansberry
being first duly sworn, depose and say.

That I am the Publisher
of the Teton Valley News, a newspaper
as defined by Idaho Codes Annotated,
Section 58-106, as amended, and that
said newspaper is a weekly newspaper,
printed and published at Driggs, in Te-
ton County, Idaho, having a general
circulation in said county, and that said
newspaper has been printed in said
county for more than 78 consecutive
weeks prior to the first publication of
the attached notice, advertisement or
publication of

Notice of Proof application
of Water to Beneficial Use

And affiant further says that said at-
tached notice, advertisement or publica-
tion, as per clipping attached, was pub-
lished in said newspaper, in the regular
and entire issue thereof, and not in any

supplement issue thereof, for 4
consecutive issues thereof; first publica-
tion having been made on the 10th
day of August, 1950
and last publication on the 31st
day of August, 1950

And affiant further says that at the
times herein mentioned said newspaper
was made up of at least four pages of at
least five columns each, printed from
type matter, of at least seventeen and
three-fourths inches deep.

VE. Lansberry
Subscribed in my presence and sworn
to before me this 5 day of
September, 1950
Philip Strong

(SEAL) Notary Public for the State of
Idaho, residence and postoffice
address, Driggs, Idaho.

My Commission expires
April 18, 1953.

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICA- TION OF WATER TO BENEFI- CIAL USE.

Notice is hereby given that at
10:00 a.m. on the 2nd day of Sep-
tember, 1950, at Driggs, County of
Teton, State of Idaho, before H.
S. Forbush, Notary Public, proof
will be submitted of the application
to beneficial use of 3.2 cubic feet
per second of the waters of Horse-
shoe Creek (high water) in accord-
ance with the terms and conditions
of Permit No. 21493 heretofore is-
sued by the Department of Recla-
mation of the State of Idaho.

The name and postoffice address
of the person or corporation hold-
ing said permit are Carl A. Rip-
plinger, Driggs, Idaho.

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

The amount applied to beneficial
use is 3.2 cubic feet (high water).

The place where said water is
used: SE $\frac{1}{4}$ Sec. 26, township 5
North, Range 44 E. B. M.

The name of the canal or ditch
or other works by which said water
is conducted to such place of use
is: no name.

The right to take water from
such works is based upon Permit
No. 21493.

The source of supply from which
such water is diverted is Horse-
shoe Creek.

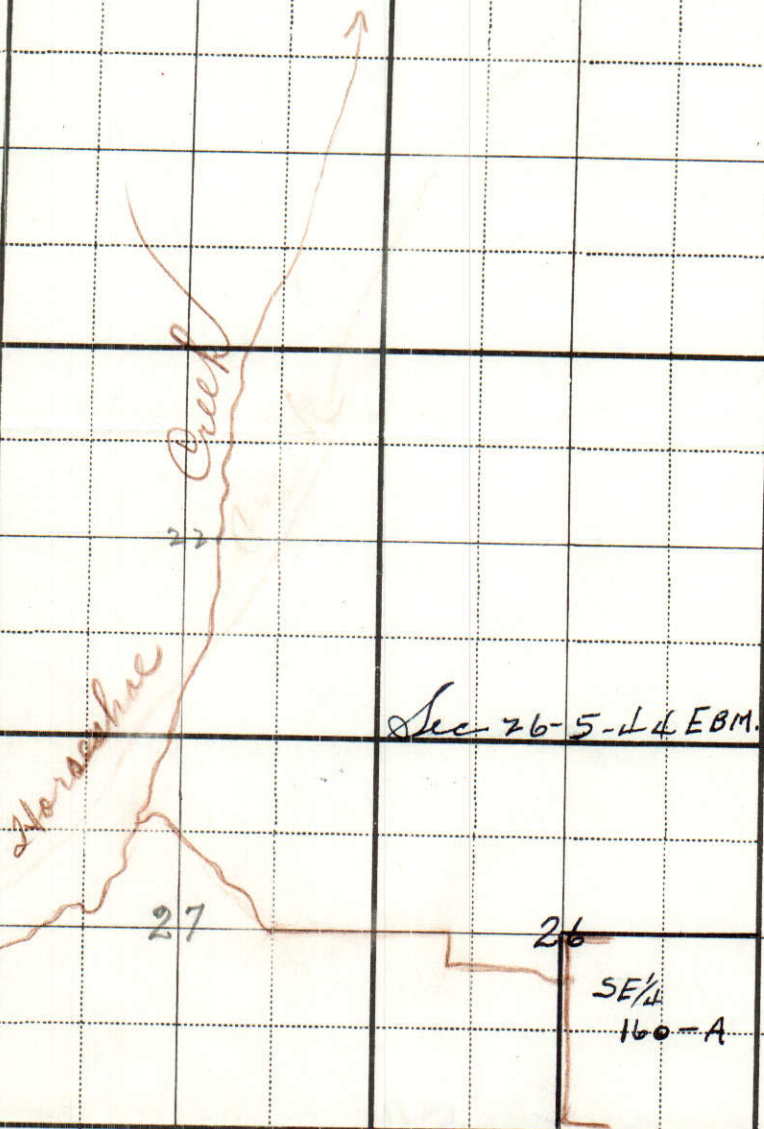
The date of priority which said
user is prepared to establish is
May 19, 1950.

MARK R. KULP,
State Reclamation Engineer.
Pub. Aug. 10-17-24-31

21493

NAME OF APPLICANT Carl Ripplinger

FORM No. 0



Permit Map No. 21493
As Approved
MAY 15 1950
MARK R. KULP
Civil Reclamation Engineer

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

21493

10, 1950

PAGE FIVE

Phone 3671 when you have a news item.

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE.

Notice is hereby given that at 10:00 a.m. on the 2nd day of September, 1950, at Driggs, County of Teton, State of Idaho, before H. S. Forbush, Notary Public, proof will be submitted of the application third meeting on the development of the waters of Horse-

shoe Creek (high water) in accordance with the terms and conditions of Permit No. 21493 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Carl A. Ripplinger, Driggs, Idaho.

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

The amount applied to beneficial use is 3.2 cubic feet (high water).

The place where said water is used: SE $\frac{1}{4}$ Sec. 26, township 5 North, Range 44 E. B. M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is: no name.

The right to take water from such works is based upon Permit No. 21493.

The source of supply from which such water is diverted is Horse-shoe Creek.

The date of priority which said user is prepared to establish is May 19, 1950.

MARK R. KULP,

State Reclamation Engineer.

Pub. Aug. 10-17-24-31

State of Idaho

License and Certificate of Water Right

Water License No. 21493

Amount 3.2 second feet

Water District No.

Priority May 19, 1950

THIS IS TO CERTIFY that CARL A. RIPPLINGER
 of Driggs, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated May 1, 19 50 ; that Permit No. 21493
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
 3.2 second feet, was issued thereunder on August 3, 19 50, showing that said works
 were completed on the 1st day of August, 19 50 ; and that on the 2nd
 day of September, 19 50,

CARL A. RIPPLINGER

of Driggs, State of Idaho, made proof to the satisfaction of the
 State Reclamation Engineer of Idaho, of the right to use the waters of Horseshoe
 Creek, a tributary of Teton River, for the purpose of irrigation
 under Use Permit No. 21493 of the Department of Reclamation
 and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
 and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
 8 of Licenses at page 5007, on the 30th day of September, 1952 ;

The right hereby confirmed dates from May 19, 19 50 ;

The Point of Diversion is located

in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 27, Tp. 5 N., R. 44 E., B.M. Teton County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
 aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
 not exceed 3.2 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 N.	44 E.	26	NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
			Number of Acres Actually Irrigated		

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

30th day of September, 19 52 .

MARK R. KULP

State Reclamation Engineer

(SEAL)

State of Idaho

License and Certificate of Water Right

Water License No. 3471Amount 0.03 second foot

Water District No. _____

Priority December 29, 1949THIS IS TO CERTIFY that ELOF NELSON

of Heise, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated February 29, 19 08; that Permit No. 3471 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.4 second foot, was issued thereunder on October 6, 19 10, showing that said works were completed on the 7th day of March, 19 10; and that on the 26th day of March, 19 52,

M. EUGENE HOLT, Assignee of one-half interest in Permit No. 3471,

of Ririe, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of an un-named ravine

~~located in the~~ for the purpose of irrigation and domestic use, under Use Permit No. 3471 of the Department of Reclamation

and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

8 of Licenses at page 5008, on the 3rd day of October, 19 52;

The right hereby confirmed dates from December 29, 19 49;

The Point of Diversion is located

in the E $\frac{1}{2}$ ~~NE~~ NE $\frac{1}{4}$, Sec. 25, Tp. 4 N., R. 40 E., B. M. Jefferson County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.03 cubic feet per second.

Description and location of use:

Twsp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
4 N.	40 E.	25	E $\frac{1}{2}$ NW $\frac{1}{4}$) NW $\frac{1}{4}$ NW $\frac{1}{4}$) Lot 2)	20	1

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

3rd day of October, 19 52.

MARK R. KULP

State Reclamation Engineer

(SEAL)

N^o 21493
22 - 2137

APPLICATION FOR PERMIT
To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 29190
PERMIT No. 21493
DISTRICT No.

1. Name of Applicant: CARL A. RIPPLINGER

Postoffice address: Driggs

County: Teton

State: Idaho

I. If applicant is a corporation, give:

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

II. The financial resources of the applicant are:

- (b) Treasury stock:
- (d) Other resources:
- (a) Cash on hand:
- (c) Bonds to be issued:

2. Quantity of water claimed: 3.2 cubic feet per second. of High water

3. Source of water supply: Horseshoe Creek which is a tributary of Teton River

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

corner of Section , T. , R. , B. M., and is in the NE $\frac{1}{4}$ NW $\frac{1}{4}$
of Section 27 , T. 5 N. , R. 44 E. , B.M., County of Teton

5. Water is to be used for Irrigation purposes

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

(a) Point of use of water: feet distant from corner of Section

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

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

(c) Water is to be returned to at a point feet

distant from the corner of Section , T. , R. , B.M., in the
of Section , T. , R. , B.M.

7. Estimated cost of works: \$ 250.00

8. Kind of works: Ditch

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

feet; material used in dam:

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

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;

dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is Work completed years.

13. The time required for the complete application of the water to the proposed use is Now ready additional years.

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

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None

16. (a) Is reservoir to be used? If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public water of the State of Idaho as herein set forth.

CARL A. RIPPLINGER

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. May 1, 1950

Returned to applicant for correction: May 4, 1950

Corrected application received: May 8, 1950

Approval of State Reclamation Engineer

The number of this permit is 21493
Recorded in Book 77 Page 21493 Approved May 15, 1950
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 Completed 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 -
The whole of said work to be completed on or before August 15, 1950
Beneficial use of water appropriated in accordance herewith, to be made on or before August 15, 1950

WITNESS My hand this 15th day of May, 1950

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, C. A. ROBINS, Governor of the State of Idaho,
and J. D. "CY" PRICE, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 15th
day of May, 1950.
Countersigned:
(SEAL) By J. D. "CY" PRICE
Secretary of State.

STATE OF IDAHO
By C. A. ROBINS
Governor.

REMARKS:

14.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5 N.	44 E.	26													40 40 40 40				160
			Permit No. 21493 CERTIFICATE OF COMPLETION OF WORKS																
			TO ALL WHOM IT MAY CONCERN:																
			This is to certify that CARL A. RIPPINGER of Driggs, County of Teton, and State of Idaho, the holder of Permit No. 21493, issued upon Application No. 29190 bearing date of priority of May 1, 1950, authorizing the diversion of 3.2 second feet of the waters of Horseshoe Creek, a tributary of Teton River, County of Teton, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho, relating to the proof of completion of the works 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 Horseshoe Creek; that the point of diversion of said waters is in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, Township 5 North, Range 44 East, B. M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Southeast Quarter Section 26, Township 5 North, Range 44 East, B.M.																
			Witness my hand this 3rd day of August, A. D. 1950.																
			Proof of Completion of Works made August 1, 1950. Certificate of Completion of Works issued August 3, 1950.																
			LICENSE ISSUED FOR 3.2 SEC. FT.																
			p. 5007																

WATER RIGHT NUMBER 22-2137

OWNER LAST NAME - RIPPLINGER ✓

FIRST NAME - CARL A. ✓

ORIG OWNER -

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - DRIGGS ✓

STATE - ID ZIP CODE - 83422 ✓

SOURCE - HORSE SHOE CREEK ✓

TRIBUTARY OF - TETON RIVER ✓

STAGE - LICENSE ✓

STATUS -

PRIORITY - 05-19-1950 ✓

COUNTY - TETON ✓

TOTAL DIV. RATE - 3.2000 -CFS

TOTAL DIV. VOLUME -

.00 AFA TRFR/AMEND -

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - NENW 27 05N 44E LOT

REDIV -

0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

FROM - TO -

USE - IRRIGATION ✓

USE DIV. RATE -

3.2000 CFS

USE DIV. VOLUME -

.00 AFA

USE - IRRIGATION ✓

PLACE OF USE - TWN 05N RNG 44E SEC 26

TRACT NESE LOT

AC 40 TRACT NWSE LOT

AC 40

TRACT SWSE LOT

AC 40 TRACT SESE LOT

AC 40

DATE -

TOTAL ACRES

160

DECREE NAME -

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 21493 ✓

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL -

DIVERSION MEANS -

July 13, 1960

Re: License No. 21493
Carl A. Ripplinger

Wesley Ripplinger
Box 307
Driggs, Idaho

Dear Mr. Ripplinger:

The Water License issued to Carl A. Ripplinger is a perpetual water right to 3.2 c.f.s. from Horsehead Creek with priority of May 19, 1950, appurtenant to the land as shown on the license which is in your possession.

There are six other rights from the same creek with priority between 1916 and 1950, for which the Certificate of Completion of Works or License has been issued. There is one valid permit of later date.

Very truly yours,

GEO. H. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS
Office Engineer

RT:aw

21493

RECEIVED
JUL 1 3 1960

July 11, 1960
Driggs, Idaho

Department of Reclamation

Dear Sir,

Do you have a list of high water filings on Horsehawk Creek, in Teton Basin (county) Are there any since the year of 1916?

I have heard several say they have filed on high water on this creek, but the water books do not show any since 1916.

I am particularly interested if you have a record for Carl Ripplinger (my father). I recently purchased this farm. He filed for waste water and also high water. He has a sealed certificate signed by Mark Kulp. This is why I was wondering about this situation.

If this filing hasn't been done properly, could you please

advise me how to complete
this & Properly, as we have
been using this water for
some time now:

Thank you very much.

Sincerely,

Heston Ripplinger
Box 307
Driggs, Idaho

Carl A. Ripplinger was issued Certificate and
Water License No. 21493 ^{P5007} for 3.2 cfs, priority 5-19-50
P.D. 7E N W 1/4 Sec. 27 T5N R4E
6 between 1916 + above

21493

✓
October 1, 1952

RE: Permit No. 21493

Mr. Carl A. Ripplinger
Driggs
Idaho

Dear Mr. Ripplinger:

We enclose License and Certificate of Water Right issued under Permit No. 21493, confirming your right to the use of 3.2 second feet of water from Horseshoe Creek, a tributary of Teton River with priority of May 19, 1950, and point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, Township 5 North, Range 44 East, B.M., for the irrigation of the SE $\frac{1}{4}$ Section 26.

We also enclose departmental receipt No. 24947 for the \$8.00 license fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

21493



LEN JORDAN
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

September 24, 1952

RE: Permit No. 21493

RECEIVED
SEP 30 1952
Department of Reclamation

Mr. Carl A. Ripplinger
Driggs
Idaho

Dear Mr. Ripplinger:

The report of our field engineer on examination for beneficial use on Permit No. 21493, shows that you have irrigated 160 acres in the SE $\frac{1}{4}$ Section 26, Township 5 North, Range 44 East, B.M.

Therefore, upon receipt of the statutory fee of \$8.00, a license will be issued for 3.2 second feet, or 160 inches of water from Horseshoe Creek.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

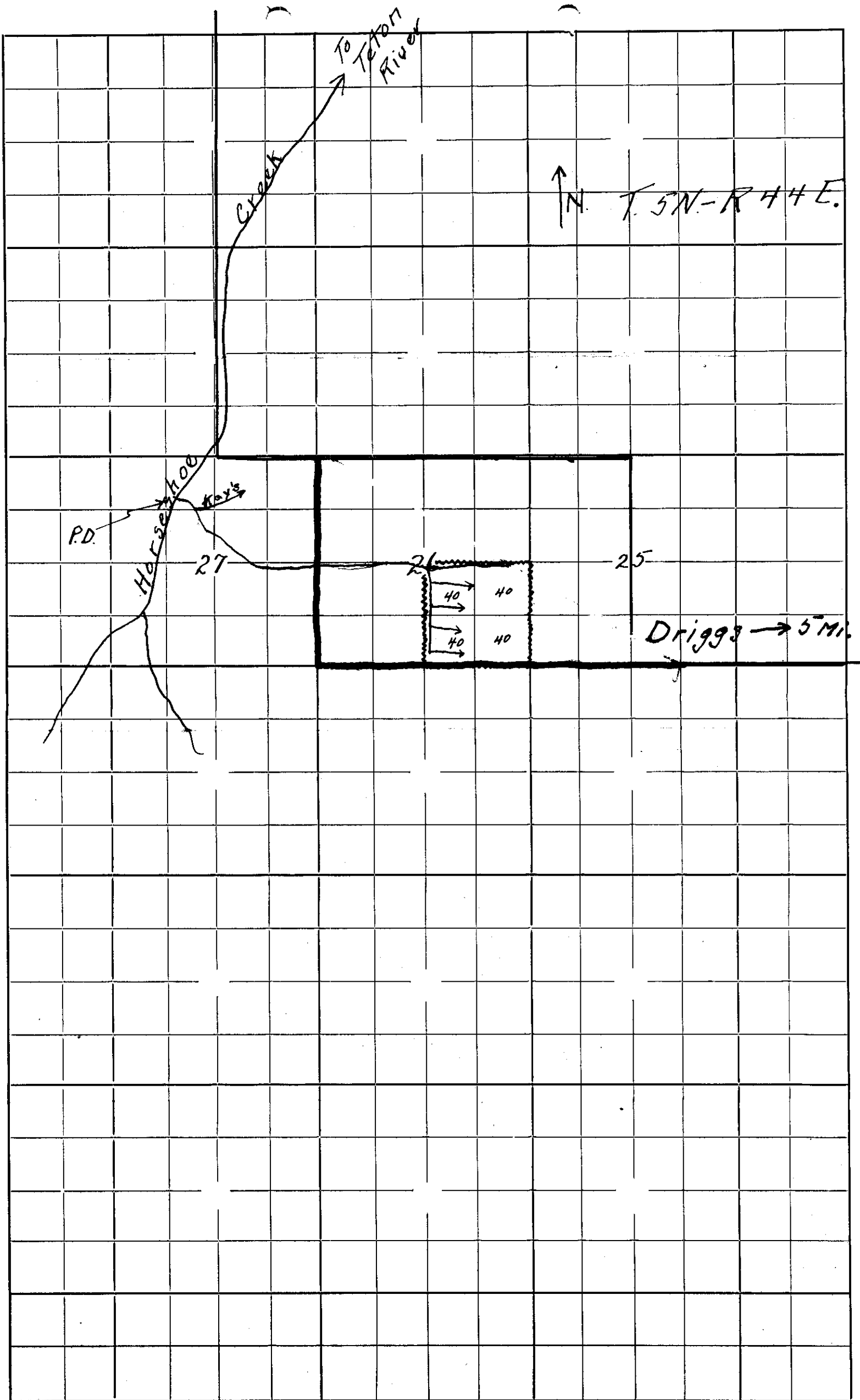
By *Jeannette L. Anderson*
Chief Clerk

A:fg

I'm closed is check for fee's for water permit.

Very Truly yours

Carl Ripplinger 21493



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO 21493

REPORT ON PROOF OF Beneficial use

3.2 cfs
max

app. 3,200 s.

160 acres
4-40's

Carl A. Ripplinger
Driggs, Idaho

Permit No. 21493

Examination for Beneficial use

County Teton

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

G = 3.2 cfs.

L = Horse shoe cr.

P.D. = NE NW - S 27-5N-44 E

uses a Hercules pump & motor
to send water thru a sprinkler
system for bottom 40 acres.

1/2 mi. 4" al lateral

200 yds. 6" al main

Ream'd #40.

66 nozzles rec

average nozzles

Head gate in Horse shoe cr.
10' w. x 10' x 2' h made of 2" x 4" c
shut off with boards on end
approx 4' long (high)
Notice on head gate that
same has been renovated.

signed by me (landed)

Cooper (Deputy)

Large ditch to E. approx. 8' w.
12' deep carries water to
Ivan Key and C. Ripplinger
& several Ripplinger

Waste water & high water
are only rights for this place.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 21193This proof is for Beneficial use

In Water District No. _____

1. Name of applicant Carl A. Ripplinger, Driggs, Idaho
2. Source of water supply: Horseshoe Creek (high water)
3. Location of point of diversion: Is in the NE¹ NW¹ of Section 27
T. 5 N. R. 44 E. County of Teton

4. Describe works as they exist, giving dimensions and capacities of same: This is a high water gravity system. There is a headgate in Horseshoe Creek 10' wide by 10' long by 2' high made of 2" planks. At present, the flow at Horseshoe Creek is nearly shut off by boards approx. 4' long placed in the headgate. There is a notice on the headgate stating that this has been regulated, signed Lynn Crendall by the Deputy, Cooper. There is a large ditch 8' wide by 2' deep with plenty of fall to the East. This ditch carries water for Iven Key, Carl Ripplinger and Henry Ripplinger. The large ditch crosses the road a short distance from the headgate and then a short distance to the East divides into 3 ditches. The one farthest to the south carries the water to Carl Ripplinger's field. At the field there is a ditch extending the full length of the West side. Part of it is in a dike. Irrigation is entirely to the East and Southeast.

5. Water is used for: Irrigation

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

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

SE¹ Section 26, Township 5 North, Range 44 East, B. M.

See Map

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? Sneke River via Teton

Remarks: This is a high water right that is used to very good advantage. It is insufficient for complete irrigation and supplemental irrigation is done from waste water. Economical use of the water is secured to the extent that a sprinkler system is used to irrigate the strip of land along the west side of the place approximately 40 acres in area.

This examination was made on the 27th day of August, 19 52

(Signed) E. N. Humphrey Examiner.

21193

✓
September 8, 1950

Re: Permit No. 21493

Mr. Harold S. Forbush
Attorney at Law
Driggs, Idaho

Dear Mr. Forbush:

We acknowledge receipt of your letter of September 5, 1950, enclosing depositions of Carl A. Ripplinger and two witnesses, also Affidavit of Publication in the Teton Valley News, all submitted in Proof of Beneficial Use under Permit No. 21493.

Before final action is taken in the matter, the law requires that a field examination be made by an Engineer from this Department.

We are unable to say just when this examination will be made as this Department has but one Field Engineer who makes examinations all over the State.

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

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

21493

HAROLD S. FORBUSH
Attorney at Law
DRIGGS, IDAHO

September 5, 1950

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

Dear Sir:

Enclosed herewith are the three proofs that the waters appropriated under permit, have beneficially been applied, and the proof of said publication as required by law.

I trust that the enclosed documents are in due and proper form.

Respectfully,
H. S. Forbush
H.S. Forbush

RECEIVED
SEP 8 1950
Department of Reclamation

21493

AFFIDAVIT OF PUBLICATION

State of Idaho, } ss.
County of Teton,

I, V.E. Lansberry
being first duly sworn, depose and say.

That I am the Publisher
of the Teton Valley News, a newspaper
as defined by Idaho Codes Annotated,
Section 58-106, as amended, and that
said newspaper is a weekly newspaper,
printed and published at Driggs, in Te-
ton County, Idaho, having a general
circulation in said county, and that said
newspaper has been printed in said
county for more than 78 consecutive
weeks prior to the first publication of
the attached notice, advertisement or
publication of

Notice of Proof application
of Water to Beneficial Use

And affiant further says that said at-
tached notice, advertisement or publica-
tion, as per clipping attached, was pub-
lished in said newspaper, in the regular
and entire issue thereof, and not in any
supplement issue thereof, for

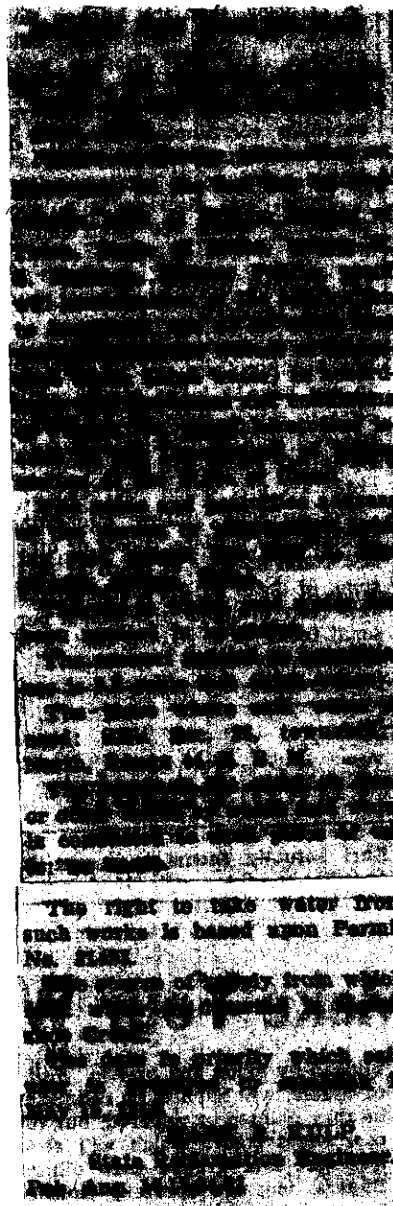
consecutive issues thereof; first publica-
tion having been made on the 10th
day of August, 1950
and last publication on the 31st
day of August, 1950

And affiant further says that at the
times herein mentioned said newspaper
was made up of at least four pages of at
least five columns each, printed from
type matter, of at least seventeen and
three-fourths inches deep.

V.E. Lansberry
Subscribed in my presence and sworn
to before me this 5 day of
September, 1950
Spuff Spring

(SEAL) Notary Public for the State of
Idaho, residence and postoffice
address, Driggs, Idaho.

My Commission expires
April 14, 1953.



21493

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO**

Permit No. 21493

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Carl A. Ripplinger, Driggs, farmer, Driggs, Idaho

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

Ans. _____

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

Ans. 21493, May 14, 1950, May 15, 1950

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

Ans. Horseshoe Creek; NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, Township 5 North, Range 44 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. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined.

Ans. A ditch running a quarter of a mile southeasterly and three-quarters of a mile straight east to the corner of the NW corner of the SE $\frac{1}{4}$ Section 26; Said ditch being in depth 2 ft. and 3 ft. wide and capable of conveying 3.2 cubic feet of water to the place of application.

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

Ans. Irrigation, cultivated, the water is capable of being used on the entire SE $\frac{1}{4}$ of Section 26 containing 160 acres.

21493

Ans.

Ans.

Ans. _____

Ans. _____

Ans. xkx5xexixfxgxhxixjxkxlxmknxpxrxsxtxuxvwxxyxz

None

(Sign) Carl A. Ripplinger

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.....Teton....., County of.....Driggs....., State of Idaho, on this.....2nd..... day of.....September....., A. D. 1950.

My commission expires December 28, 1953

21493

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO**

Permit No. 21493

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. Lowell Bowen, 30 years old, Driggs, farmer, Driggs, Idaho

Ques. 2. Are you acquainted with Carl A. Ripplinger, the holder of Permit No. 21493? How long have you known him and where does he reside?

Ans. All of my life, at Driggs, Idaho

Ques. 3. Have you read or heard read said Permit No. 21493, 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. Horseshoe Creek; NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, Township 5 North, Range 44 East, B.M.; a ditch running a quarter of a mile southeasterly and three-quarters of a mile straight east to the corner of the NW corner of the SE $\frac{1}{4}$ Section 26

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. 3.2

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. _____

21493

Ques. 7. 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, cultivated land, the four quarters of the SE $\frac{1}{4}$ Section 26

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans.

Ques. 9. (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. one inch per acre

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No

Ques. 11. 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 was on the premises the latter part of June, 1950, and was shown the works by the permit holder and know that the said works will convey 3.2 feet of water to the place of application

(Signed) Tawell Bowen

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 Teton County of Blaine, State of Idaho, on this 2nd day of September, A. D. 1950.

H. J. Forbush

Notary Public.

My commission expires December 28, 1953

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO**

Permit No. 21493

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. Ronald Bettger, 38 years old, Farm Machine Salesman, Driggs, Idaho

Ques. 2. Are you acquainted with Carl A. Ripplinger, the holder of Permit No. 21493? How long have you known him and where does he reside?

Ans. 10 years, at Driggs, Idaho

Ques. 3. Have you read or heard read said Permit No. 21493, 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. Horseshoe Creek; NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, Township 5 North, Range 44 East, B.M.; a ditch running a quarter of a mile southeasterly and three-quarters of a mile straight east to the corner of the NW corner of the SE $\frac{1}{4}$ Section 26

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. 3.2

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. _____

21493

Ques. 7. 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, cultivated land, the four quarters of the SE $\frac{1}{4}$ Section 26

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans.

Ques. 9. (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. one inch per acre

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No

Ques. 11. 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 was on the premises the first part of August, 1950, and was shown the works by the permit holder and know that the said works will convey 3.2 feet of water to the place of application

(Signed) Ronald Bettger

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 Teton County of Driggs, State of Idaho, on this 2nd day of September A. D. 1950.

W J Forbush

Notary Public.

My commission expires December 28, 1953

21493

August 15, 1950

Re: Permit No. 21493

Teton Valley News
Driggs, Idaho

Gentlemen:

We acknowledge receipt of a copy of your issue of August 10, enclosing Notice of Beneficial Use Proof of Carl A. Ripplinger.

There is evidently an error in the seventh line of this notice which seems to be in connection with some other notice, rather than the copy we sent you.

That line should read "to beneficial use of 3.2 cubic feet" as you will note by referring to the copy.

Please make this correction in your subsequent issues.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

21493

✓
August 3, 1950

Re: Permit No. 21493

Mr. Harold S. Forbush
Attorney at Law
Driggs, Idaho

Dear Mr. Forbush:

We enclose Certificate of Completion of Works issued under Permit No. 21493, in the name of Carl A. Ripplinger, for the diversion of 3.2 second feet of water from Horseshoe Creek, with point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, Township 5 North, Range 44 East, B.M. for the irrigation of land in the SE $\frac{1}{4}$ Section 26, Same Township and Range.

We also enclose Departmental Receipt No. 22562 for the \$5.00 fee paid in connection with this proof.

Since Beneficial Use Proof requires four weeks publication, and the Teton Valley News is published on Thursdays, it is impossible to have the first publication before August 10, and the fourth publication on August 31. The proof can not be made until after that date, so we have set 10 o'clock, A.M., September 2, 1950, as the time for making this proof.

A copy of the notice has been sent to the Teton Valley News with instructions to publish it once a week for four consecutive weeks prior to that date and to send Mr. Ripplinger the Affidavit of Publication, together with statement of costs.

We enclose the necessary forms for making this proof, consisting of one for the Permit Holder and one for each of two witnesses, and at the time set, Mr. Ripplinger should appear before you with two disinterested witnesses who are familiar with the terms of the Permit and the work done thereunder for the purpose of executing the depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

A:bn
Enc.

Chief Clerk

21493

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 21493

Date: August 3, 1950

Teton Valley News

Driggs, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **September 2, 1950** the date set for proof, the expense of the publication to be paid by the applicant, **Carl A. Ripplinger** of **Driggs, Idaho**, to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,
MARK R. KULP

State Reclamation Engineer

By
Chief Clerk

21493

NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 10.00 A. M. on the 2nd day of September, 1950,
at Driggs, County of Teton, State of Idaho, before
H. S. Partush, Notary Public, proof will be submitted of the
application to beneficial use of 3.2/ high water cubic feet per second of the waters of Horseshoe Creek
(high water) in accordance with the terms and conditions of Permit No. 21493
heretofore issued by the Department of Reclamation of the State of Idaho.

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

Carl A. Ripplinger, Driggs, Idaho

The use to which said water has been applied is irrigation

The amount applied to beneficial use is 3.2 cubic feet (high water)

The place where said water is used (if for irrigation give full and accurate description of the
lands irrigated) SE 1/4 Sec. 26, township 5 North, Range 14 E. 2nd M.

The name of the canal or ditch or other works by which said water is conducted to such place of
use is no name

The right to take water from such works is based upon Permit No. 21493

The source of supply from which such water is diverted is Horseshoe Creek

The date of priority which said user is prepared to establish is May 19, 1950

MARK R. KULP

State Reclamation Engineer.

21493

HAROLD S. FORBUSH
Attorney at Law
DRIGGS, IDAHO

August 1, 1950

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

RECEIVED
AUG 3 1950
Department of Reclamation

Dear Sir:

Enclosed herewith in the name of Carl A. Ripplinger is proof of completion of works, two notices for publication, together with authorization for publication in the Teton Valley News.

I trust that the enclosed forms are in proper form, and that by the 31st of August, 1950, proof of beneficial use may be made before me by the permit holder.

Respectfully,

H. S. Forbush

21493

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) August 1, 1950

(P. O.) Driggs, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Teton Valley News of Driggs, Idaho published in
the county in which the works are situated.

Carl A. Rippinger

(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.

21493

Permit No. 21493

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Teton

ss.

Carl A. Ripplinger, 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. 21493, and that his postoffice address is Driggs, Idaho State of Idaho.

Second: That the name of the stream which said water is to be directed is Horseshoe Creek

Third: That the point of diversion of said water is NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, T. 5 N. Range 44 E. B. M. County of Teton (being 330 ft. from the east line of the above quarter section, middle way on the south line of the above quarter section).

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by diversion works completed when application made.

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: Ditch

(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 2 feet, width at water line 3 feet. (State whether ditch, flume or pipe)

feet, depth of water 1 $\frac{1}{2}$ feet; diameter of pipe inches, average grade per mile is feet. Length of conduit is 1 $\frac{1}{4}$ miles.

Seventh: That said works are capable of conducting to the place of intended use 3.2 second feet of water. (High water)

Eighth: That water appropriated under said permit is available for 160 acres of land described as follows:

NE $\frac{1}{4}$ 10, NW $\frac{1}{4}$ 10, SE $\frac{1}{4}$ 10, SW $\frac{1}{4}$ 10 (10 acres in each quarter). Township 5 N., Range 44, E. B. M. Section 26, NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, all in Section 26, Township 5 North, Range 44 E. B. M., containing 160 acres.

Ninth: Remarks: That the conduit from the diversion point runs at a southeasterly direction for onehalf mile, thence east 3/4 mile to place of beneficial use. The permit holder is jointly sharing in the use of the said conduit with another land owner.

Carl A. Ripplinger
(Sign Here)

Subscribed and sworn to before me this 1 day of August, 1950.

My commission expires December 28, 1953.

Notary Public.

21493

May 18, 1950

Re: Permit No. 21493

Mr. Harold S. Forbush
Attorney at Law
Driggs, Idaho

Dear Mr. Forbush:

We enclose Permit No. 21493 in the name of Carl A. Ripplinger.

As the application states that the works are completed, we have allowed three months, or until August 15, 1950, within which to make the two statutory proofs necessary to complete the water right. These proofs, however, may be made at any time prior to that date.

The first proof of proof of completion of works is made by executing Form 6 enclosed before a Notary Public, and returning to this Department with a statutory fee of \$5.00, upon receipt and approval of which, a Certificate of Completion of Works will be issued.

The final or beneficial use proof requires publication once a week for four consecutive weeks in a county newspaper, prior to the date set for making proof. Notice should be made in duplicate on Form 10 enclosed, setting the time and place and naming the Notary Public before whom proof is to be made. Both copies of the notice to be returned to this Department together with Form 11 which is your authorization for us to have the notice published in the designated newspaper at your expense.

We shall then send a copy of the notice to the newspaper with instructions in regard to publishing, and on the date set, you should appear before the Notary Public together with two disinterested witnesses to execute depositions of proof on forms furnished by this Department.

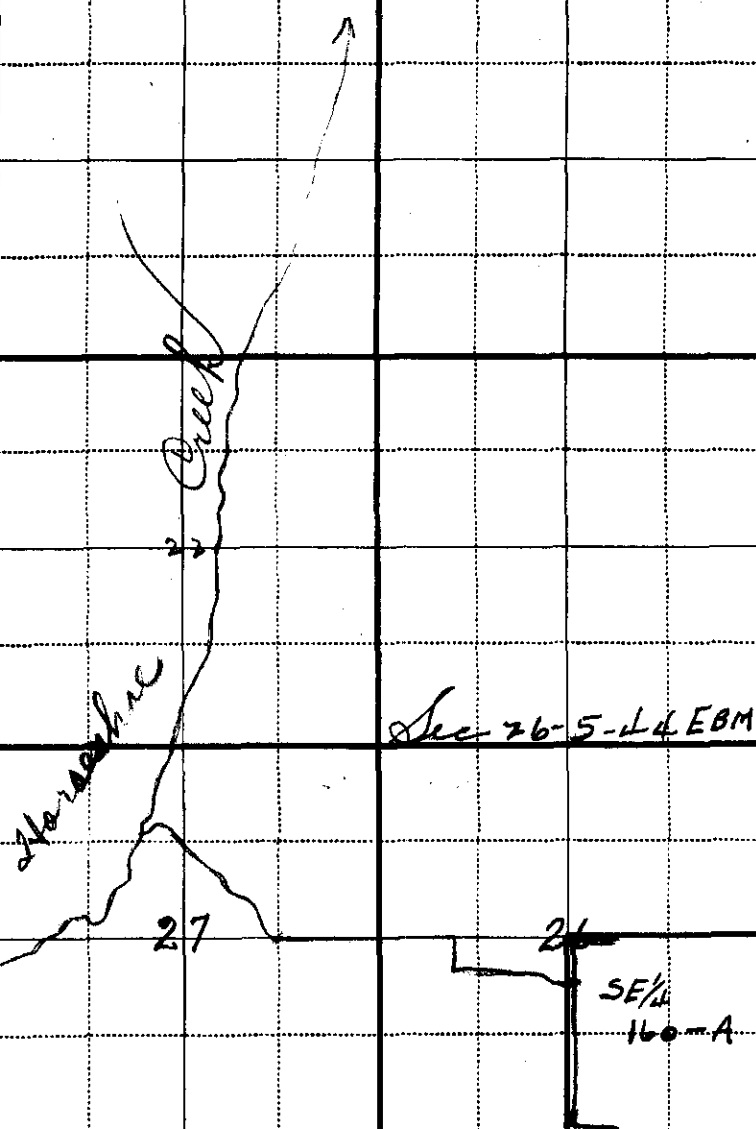
Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

A:bh
Enc.

Chief Clerk

21493



Permit Map No. 21493
As Approved
MAY 15 1950
MARK R. KULP
State Registration Engineer

✓
May 4, 1950

Re: Application No. 29190

Mr. Harold S. Forbush
Attorney at Law
Driggs, Idaho

Dear Mr. Forbush:

We acknowledge receipt of your letter of April 29, 1950, enclosing the application of Carl A. Ripplinger for permit to appropriate water from Horseshoe Creek and we enclose Departmental Receipt No. 22317 for the \$5.75 filing fee.

However, we are not quite sure as to the point of diversion as one sketch map seems to show it in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27 and the other in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of this Section.

We return the sketch maps herewith and request that you advise us to the definite subdivision in which the point of diversion is located.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn
Enc.

21493

HAROLD S. FORBUSH
Attorney at Law
DRIGGS, IDAHO

April 29, 1950

RECEIVED
MAY 1 1950
Department of Reclamation

Mr. Mark R. Kulp

Department of Reclamation

Boise, Idaho

Dear sir:

Enclosed herewith is an application for the appropriation of water of Horseshoe Creek. I am accompanying my personal check of \$5.75 to cover the filing fee of said application and also for the water filed upon.

I trust that the application is in due form and that your attention will be given same.

I beg to remain,

H. S. Forbush

21493

10, 1950

PAGE FIVE

Phone 3671 when you have a news item.

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE.

Notice is hereby given that at 10:00 a.m. on the 2nd day of September, 1950, at Driggs, County of Teton, State of Idaho, before H. B. Forbush, Notary Public, proof will be submitted of the application third meeting on the development per second of the waters of Horse-

shoe Creek (high water) in accordance with the terms and conditions of Permit No. 21493 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Carl A. Ripplinger, Driggs, Idaho.

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

The amount applied to beneficial use is 3.2 cubic feet (high water).

The place where said water is used: SE $\frac{1}{4}$ Sec. 26, township 5 North, Range 44 E. B. M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is: no name.

The right to take water from such works is based upon Permit No. 21493.

The source of supply from which such water is diverted is Horse-shoe Creek.

The date of priority which said user is prepared to establish is May 19, 1950.

MARK R. KULP,
State Reclamation Engineer.
Pub. Aug. 10-17-24-31