

State of Idaho
License and Certificate of Water Right

Water License No. 21035

Amount 0.76 second foot

Water District No. _____

Priority March 31, 1949

THIS IS TO CERTIFY that JESSE L. RHODEHOUSE
of Route 2, St. Anthony, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated March 31, 1949; that Permit No. 21035
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2.3 second feet, was issued thereunder on May 19, 1949, showing that said works
were completed on the 11th day of May, 1949; and that on the 4th
day of August, 1949.

JESSE L. RHODEHOUSE

of St. Anthony, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of an unnamed
stream tributary of (seepage water), for the purpose of Irrigation

, under Use Permit No. 21035 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 4586, on the 4th day of May, 1950;

The right hereby confirmed dates from March 31, 1949;

The Point of Diversion is located

in the SW 1/4 SW 1/4, Sec. 8, Tp. 7 N., R. 40 E., B. M. Fremont 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 0.76 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
7 N.	40 E	17	NE $\frac{1}{4}$ SW $\frac{1}{4}$)	130	--
			NW $\frac{1}{4}$ SW $\frac{1}{4}$)		18
			SW $\frac{1}{4}$ SW $\frac{1}{4}$)		20
			SE $\frac{1}{4}$ SW $\frac{1}{4}$)		--
			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.

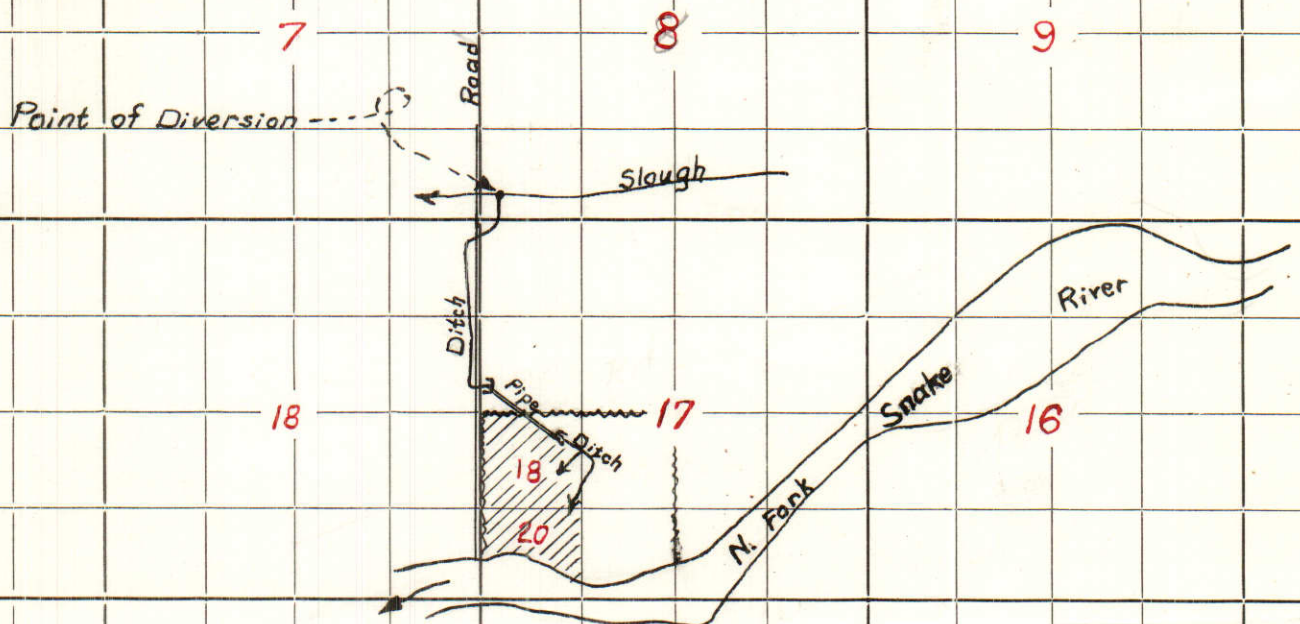
WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
4th day of May, 1950.

MARIE R. KULP

State Reclamation Engineer

(SEAL)

21-2101



AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

ss.

County of Fremont

J. E. Hanawalt

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

That he is the publisher of The Fremont County 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 St. Anthony, in Fremont County, Idaho, having a general circulation in said county, and that said newspaper has been printed and published as a weekly newspaper 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 for Beneficial Use*

And affiant further says that said attached notice, advertisement or publication, as per clipping attached, was published in said newspaper, in the regular and entire issue thereof, and not in any supplement issue thereof,

for *4* consecutive issues thereof;

first publication having been made

on the *7th* day of *July*

19*49*, and last publication on the

28th day of *July*

19*49*

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.

J. E. Hanawalt

Subscribed in my presence and

sworn to before me this *10th*

day of *Sept* 19*49*

Robt. Fisher

Notary public for the State of Idaho, residence and post office address: St. Anthony, Idaho.

(Seal)

FREMONT COUNTY NEWS, ST. ANTHONY

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M. on the 4th day of August, 1949, at St. Anthony, County of Fremont, State of Idaho, before Willard C. Burton, Notary Public, proof will be submitted of the application to beneficial use of 2.3 cubic feet per second of the waters of seepage origin flowing in unnamed stream in accordance with the terms and conditions of Permit No. 21035 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 Jesse L. Rhodehouse of St. Anthony, R. 2, Idaho.

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

The amount applied to beneficial use is 2.3 cu. feet per second.

The place where said water is used SW 1/4 of Sec. 17, Township 7 North, Range 40 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 unnamed stream.

The right to take water from such works is based upon Permit No. 21035.

The source of supply from which such water is diverted is seepage water rising on farm in SW 1/4 SW 1/4 of Section 8, Township 7 N., R. 40 E. B. M.

The date of priority which said user is prepared to establish is March 31, 1949.

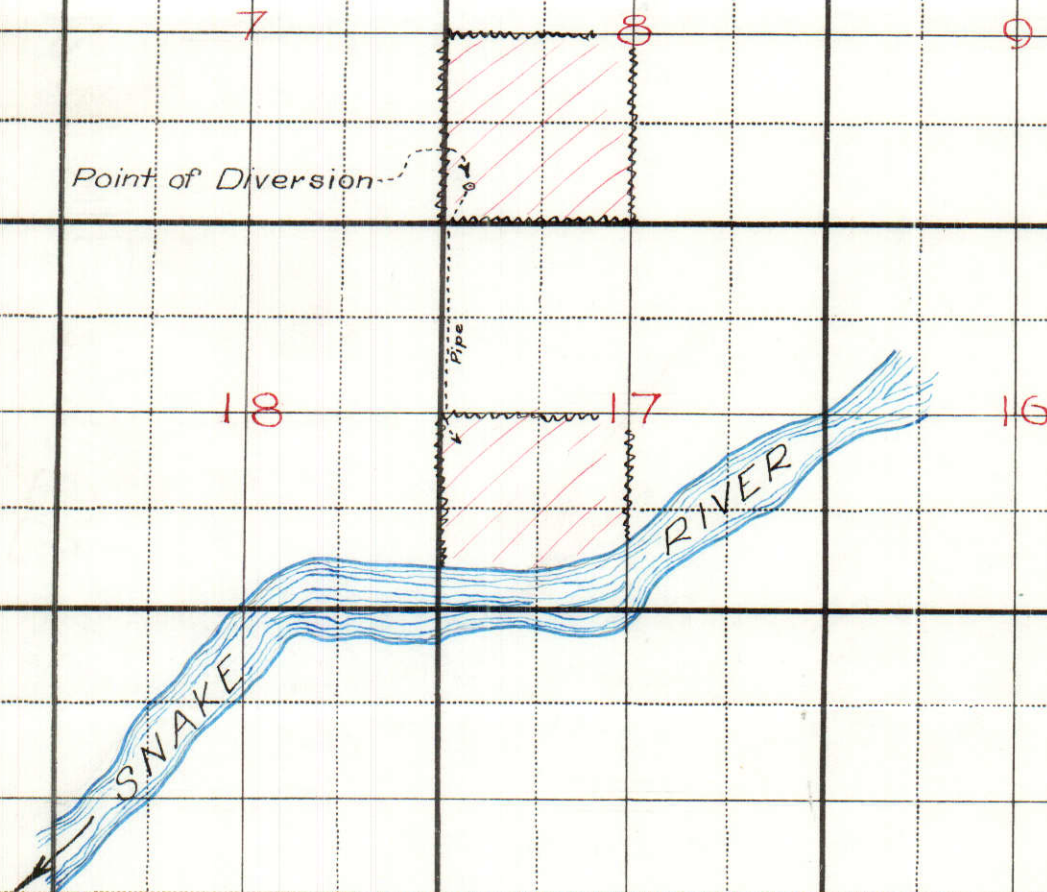
21035 MARK R. KULP
State Reclamation Engineer.
Pub. July 7, 14, 21, 28

to Follow



21035

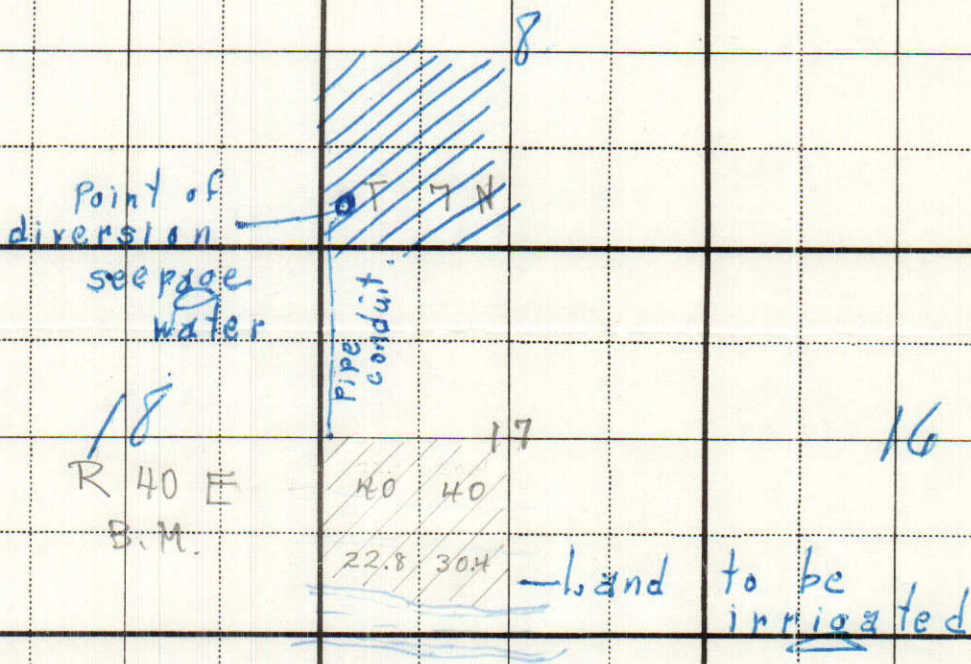
T. 7N. - R. 40E.



NAME OF APPLICANT Heise L. Rhodehouse

FORM No. 0

T. 7 N. R. 40 E.



Permit Map No. 21035
As Approved
MAY 4 1940
MARK R. KULP
State Reclamation Engineer

Idaho Water Control Act

Amount 0.76 cubic feet per second
Priority March 31, 1949

JAMES L. RICHMOND

James L. Richmond, Idaho, made application for a permit to appropriate the waters of the Snake River, Idaho, dated March 23, 1949; that Permit No. 21035 was issued to him on May 19, 1949, showing that said works were completed on May 19, 1949; and that on the 4th day of May, 1950.

JAMES L. RICHMOND

of St. Anthony, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of an unnamed stream, ~~xxxxxxxxxx~~ (seepage water), for the purpose of Irrigation, under Use Permit No. 21035 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 4586, on the 4th day of May, 1950;

The right hereby confirmed dates from March 31, 1949;

The Point of Diversion is located

in the SW 1/4 SW 1/4 Sec. 8, Tp. 7 N., R. 40 E., B. M. Fremont 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 0.76 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
7 N.	40 E	17	NE 1/4 SW 1/4) NW 1/4 SW 1/4) SW 1/4 SW 1/4) SE 1/4 SW 1/4)	130	-- 18 20 --
			Number of Acres Actually Irrigated	--	38

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

4th day of May, 1950

MARK R. KULP
State Reclamation Engineer

(SEAL)

21-2101

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 28677
PERMIT No. 21035
DISTRICT No.

1. Name of Applicant: JESSE L. RHODEHOUSE

Postoffice address: Rte. 2, St. Anthony

County: Fremont

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: 2.3

cubic feet per second.

neighbor to North in SW $\frac{1}{4}$ Section 8, Twp. 7 N., Range 40 E., B.M.

3. Source of water supply: Seepage water rising on property of/which is a tributary of

4. Location of point of diversion: 200

feet distant from the Northwest

corner of Section 17, T. 7 N., R. 40 E., B.M., and is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$

of Section 8, T. 7 N., R. 40 E., B.M., County of Fremont

5. Water is to be used for Irrigation of farm land in SW $\frac{1}{4}$ Section 17, Twp. 7 N., Range 40 E., B.M.

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: \$ 1,500.00

8. Kind of works: Cement pipe

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 14" for 874 ft. inches; length of conduit 1574 ft. miles

Average grade per mile feet.

12. The time required for the completion of such work is 3 weeks years.

13. The time required for the complete application of the water to the proposed use is 3 months 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.

JESSE L. RHODEHOUSE *Applicant.*

By _____ Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. March 31, 1949

Returned to applicant for correction: April 18, 1949

Corrected application received: April 22, 1949

Approval of State Reclamation Engineer

The number of this permit is 21035

Recorded in Book 75 Page 21035 Approved May 4, 1949

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 - - 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 4, 1949

Beneficial use of water appropriated in accordance herewith, to be made on or before August 4, 1949

WITNESS My hand this 4th day of May, 1949

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 4th

day of May, 19 49.

STATE OF IDAHO

Countersigned:

(SEAL) By C. A. ROBINS

Governor.

By J. D. "CY" PRICE

Secretary of State.

REMARKS:

14.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7 N.	40 E.	17									130								130
Permit No. 21035 CERTIFICATE OF COMPLETION OF WORKS																			
TO ALL WHOM IT MAY CONCERN:																			
This is to certify that JESSE L. RHODEHOUSE of Route 2, St. Anthony, County of Fremont, and State of Idaho, the holder of Permit No. 21035, issued upon Application No. 28677 bearing date of priority of March 31, 1949, authorizing the diversion of 2.3 second feet of the waters of seepage water, flowing in unnamed stream County of Fremont, 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 2.3 second feet of the waters of said seepage water; that the point of diversion of said waters is 200 feet distant from the Northwest corner of Section 17, Township 7 North, Range 40 East, B.M., and in the SW¼ SW¼ Section 8, Township 7 North, Range 40 East, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Southwest Quarter of Section 17, Township 7 North, Range 40 East, B.M.																			
Witness my hand this 19th day of May, A. D. 1949.																			
MARK R. KULP State Reclamation Engineer																			
Proof of Completion of Works made May 11, 1949. Certificate of Completion of Works issued May 19, 1949.																			

LICENSE ISSUED FOR 0.76 SEC. FT.
p. 4586

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No.

Permit No.

District No.

1. Name of applicant: Jesse L. Rhodhouse
Post office address St. Anthony Rt. 2 County Fremont 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: (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
2. Quantity of water claimed: two and three tenths cubic feet per second.
3. Source of water supply: seepage water rising on property of neighbor to north
in the South-west Quarter of Section 8, Township 7 North, Range 40 East, B.M.
which is tributary of
4. Location of point of diversion: 200 feet distant from the North-West corner
of Section 17 T. 7 N. R. 40 B.M., and is in the South-West Quarter
of Section 8 T. 7 N. R. 40 B.M., County of Fremont.
5. Water is to be used for: Irrigation of farm land in South-West Quarter of Section 17
Township 7 North, Range 40 E. B.M.
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: \$ 1500.00
8. Kind of works: cement pipe
(Reservoir, dam, ditch, flume, pipe, etc.)
9. Height of dam feet; length of dam at top feet; length of dam at bottom
(If height of dam will exceed 10 feet or will store more than 100 acre feet of water, send to Department of Reclamation for Regulations.)
feet; material used in dam
10. Size of headgate: Width feet; Height feet.
11. Ditch. Width at bottom feet; Width at water line feet; Depth of water feet:
Dimensions of flume 14" for 874 '
Diameter of pipe 12" for 700 inches:
Length of conduit 1574 feet miles. Average grade per mile feet.

21035

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.

Remarks:

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

Jesse L. Rhodehouse

Applicant

By

Agent

Affidavit of Permission to File on Springs

(Not to be used when spring is situated on lands owned by applicant.)

I, S. K. Warnberg, of Hemen Precinct, County of Fremont, State of Idaho, do hereby certify that I am the owner of the land on which the spring mentioned in the application of Jesse L. Rhodehouse is located, to-wit: in the SW $\frac{1}{4}$ Section 8, Township 7 North, Range 40 East, Boise Meridian and that I do hereby grant unto the said Jesse L. Rhodehouse permission to file on the said spring as set forth in the foregoing application.

S. K. WARNBERG

STATE OF IDAHO

County of Fremont

ss.

On this 19th day of March, 1949, before me, a Notary Public for the State of Idaho, residing at St. Anthony, Idaho, personally appeared S. K. Warnberg known to me to be the person whose name is subscribed to the foregoing certificate, and acknowledged to me that he executed the same.

Witness my hand and seal, the day and year in this certificate first above written.

Willard C. Burton

Notary Public

My commission expires Jan. 23, 1950

21035

Approval of State Reclamation Engineer

The number of this permit is

Recorded in Book Page Approved

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 before

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

One-fifth of the work above specified to be completed on or before

The whole of said work to be completed on or before

Beneficial use of water appropriated in accordance herewith, to be made on or before

Witness my hand this day of, 194....

.....
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ... Governor of the State of Idaho,

and, 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 day of, 194....

Countersigned:

STATE OF IDAHO

By
Secretary of State.

By
Governor

No.

PERMIT

Date of first receipt at office of State

Reclamation Engineer

9:00 A.M. March 31, 1949

Returned to applicant for correction

April 18, 1949

Corrected application received

April 22, 1949

Fees \$5-50

FILING FEES FOR USE PERMIT:

For the first Sec. Ft. \$5.00

For each additional Sec. Ft. or fraction

thereof 25

21035

COUNTY NEWS, ST. A

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 9:00 A. M. on the 4th day of August, 1949, at St. Anthony, County of Fremont, State of Idaho, before Willard C. Burton, Notary Public, proof will be submitted of the application to beneficial use of 2.3 cubic feet per second of the waters of seepage origin flowing in unnamed stream in accordance with the terms and conditions of Permit No. 21035 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 Jesse L. Rhodehouse of St. Anthony, R. 2, Idaho.

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

The amount applied to beneficial use is 2.3 cu. feet per second.

The place where said water is used SW $\frac{1}{4}$ of Sec. 17, Township 7 North, Range 40 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 un-named stream.

The right to take water from such works is based upon Permit No. 21035.

The source of supply from which such water is diverted is seepage water rising on farm in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, Township 7 N., R. 40 E. B. M.

The date of priority which said user is prepared to establish is March 31, 1949.

MARK R. KULP
State Reclamation Engineer.
Pub. July 7, 14, 21, 28

May 5, 1960

Re: Permit No. 21035

Mr. Jesse L. Rhodehouse
Route 2
St. Anthony, Idaho

Dear Mr. Rhodehouse:

We enclose License and Certificate of Water Right issued under Permit No. 21035, confirming your right to the use of 0.76 of a second foot of seepage water, with point of diversion in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 8, Township 7 North, Range 40 East, B.M., with priority of March 31, 1949, for the irrigation of land in the W $\frac{1}{2}$ SW $\frac{1}{4}$ Section 17, same Township and Range.

We also enclose Departmental Receipt No. 22314 for the \$4.00 fee paid in connection with this proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn
Enc.

21035

March 30, 1950

Re: Permit No. 21035

Mr. Jesse L. Rhodehouse
Route 2
St. Anthony, Idaho

Dear Mr. Rhodehouse:

We now have on file the report of our Field Engineer on examination for Beneficial Use under Permit No. 21035.

This report shows that you have irrigated 38 acres in the W $\frac{1}{2}$ SW $\frac{1}{4}$ Section 17, Township 7 North, Range 40 East, B.M.

Therefore, upon receipt of the statutory fee of \$4.00, a License will be issued for .76 second foot of water from an unnamed stream with point of diversion in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 8, Township 7 North, Range 40 East, B.M.

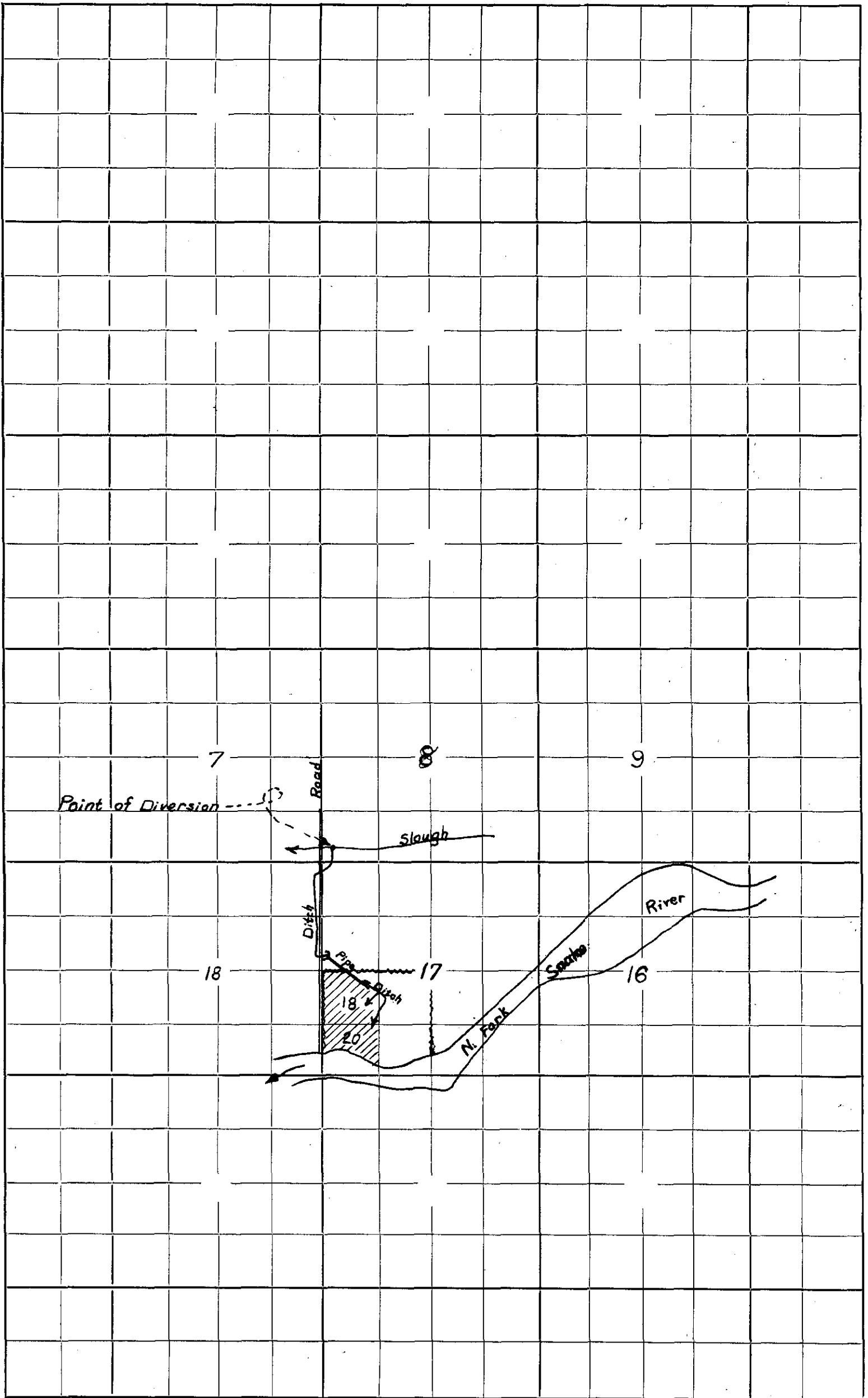
Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn

21035



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

21035

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 21035

REPORT ON PROOF OF Beneficial use

*76 cfs
max*

app. 2.3 c.f.s.

*38 acres
2-40's*

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

Permit No. 21035This proof is for Beneficial use In Water District No. _____

1. Name of applicant Jesse L. Rhodehouse, Route 2, St. Anthony, Idaho
2. Source of water supply: An unnamed stream (seepage water)
3. Location of point of diversion: Is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8
T. 7 N. R. 40 E. County of Fremont
4. Describe works as they exist, giving dimensions and capacities of same:
Diversion from slough, no headgate. Ditch 3' wide and 1' deep. 1595' of
concrete pipe(700' of 14" and 895' of 12") Concrete box terminals.
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):
SW $\frac{1}{4}$ Section 17, Township 7 North, Range 40 East, B. M.

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

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

Remarks: _____

This examination was made on the 26 th day of Sept., 1949(Signed) F. H. Tolman Examiner.21035

Jesse L. Rhodehouse
Rt. 2, St. Anthony, Idaho
Permit No. 21035

Examination for Beneficial use

County Fremont

RECEIVED
MAR 24 1950
Department of Reclamation

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.

✓
September 15, 1949

Re: Permit No. 21035

Mr. Jesse L. Rhodehouse
Route 2
St. Anthony, Idaho

Dear Mr. Rhodehouse:

We have placed on file, the depositions of yourself and two witnesses; also Affidavit of Publication in the Fremont County News, all in proof of Beneficial Use under your Permit No. 21035.

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

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

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

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn

21035

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

ss.

County of Fremont

J. E. Hanawalt

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

That he is the publisher of The Fremont County 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 St. Anthony, in Fremont County, Idaho, having a general circulation in said county, and that said newspaper has been printed and published as a weekly newspaper 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 of Application of Water to Beneficial Use*

And affiant further says that said attached notice, advertisement or publication, as per clipping attached, was published in said newspaper, in the regular and entire issue thereof, and not in any supplement issue thereof,

for *4* consecutive issues thereof;

first publication having been made

on the *10th* day of *July*

19*49*, and last publication on the

28th day of *July*

19*49*

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.

J. E. Hanawalt

Subscribed in my presence and

sworn to before me this *10th*

day of *Sept* 19*49*

Robert Fisher

(Seal) Notary public for the State of Idaho, residence and post office address: St. Anthony, Idaho.

NOTICE OF PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M. on the 4th day of August, 1949, at St. Anthony, County of Fremont, State of Idaho, before Willard C. Burton, Notary Public, proof will be submitted of the application to beneficial use of 2.3 cubic feet per second of the waters of seepage origin flowing in unnamed stream in accordance with the terms and conditions of Permit No. 21035 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 Jesse L. Rhodehouse of St. Anthony, R. 2, Idaho.

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

The amount applied to beneficial use is 2.3 cu. feet per second.

The place where said water is used SW $\frac{1}{4}$ of Sec. 17, Township 7 North, Range 40 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 un-named stream.

The right to take water from such works is based upon Permit No. 21035.

The source of supply from which such water is diverted is seepage water rising on farm SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, Township 7 N., R. 40 E. B. M.

The date of priority which said user is prepared to establish is March 31, 1949.

21035 MARK R. KULP
State Reclamation Engineer
Pub. July 7, 1949



21035

✓
September 2, 1949

Re: Permit No. 21035

Mr. Jesse L. Rhodehouse
Route 2
St. Anthony, Idaho

Dear Mr. Rhodehouse:

We acknowledge receipt of the depositions of yourself and two witnesses submitted in proof of beneficial use under Permit No. 21035.

However, we have not yet received the Affidavit of Publication which the Fremont County News was instructed to send you.

If you have not received it, we suggest that you take the matter up with them as this Affidavit is a necessary part of the proof.

Very truly yours,

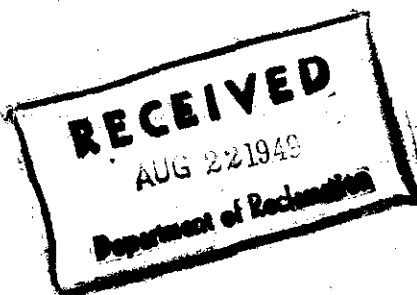
MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

21035

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



Permit No. 21035

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Jesse L. Rhodehouse. Farmer, St. Anthony, R. 2, 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. no corporation

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

Ans. 21035. May 4, 1949; March 31, 1949

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

Ans. Seepage water rising on property of neighbor to North in the South-West Quarter of Section 8, T. 7 N., R. 40 EBM. point of diversion 200 ft. distant from the NW corner of Sec. 17, T. 7 N., R. 40 EBM in SW 1/4 SW 1/4, Sec. 8, T. 7N, R. 40 EBM

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. cement pipe; Diameter 14" for 874' and 12" for 700' total length of conduit 1574 feet

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

Ans. For irrigation of farm land in SW Quarter of Sec. 17, T. 7N., R. 40 EBM. 130 acres to be irrigated; cultivated; 15 acres additional put under cultivation; crop more than 100% increase in quantity on all the 130 acres.

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

Ans.

21035

no app.

1949

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 21035

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. William E. Liebert, age 52 years, residence St. Anthony, Idaho,
farmer, St. Anthony R. 2, Idaho

Ques. 2. Are you acquainted with Jesse L. Rhodehouse, the holder of Permit No. 21035? How long have you known him and where does he reside?

Ans. Yes. I am. I have known him for more than 25 years. He lives at
St. Anthony R. 2, Idaho

Ques. 3. Have you read or heard read said Permit No. 21035, 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. The water is seepage rises north of Rhodehouse's farm in the South-West
Quarter of Sec. 8, T. 7 N., R. 40 E. B. M. The water is carried through cement
pipe from source to place of use. The pipe is about 12 to 14 inches in diameter.

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. 2.3 second feet

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. For irrigating Rhodehouse's farm. It's about 130 acres, cultivated,
in the SW Quarter of sec. 17, T. 7 N., R. 40 E. B. M. As a result of the
works constructed, he has been able to put 15 additional acres under cultivation,
and his crops are turning out a 100% better yield.

21035

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 21035

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. Clyde Davidson, 31 years of age, St. Anthony R. 2, Idaho, farmer,
St. Anthony, R. 2, Idaho

Ques. 2. Are you acquainted with Jesse L. Rhodehouse, the holder of Permit No. 21035? How long have you known him and where does he reside?

Ans. Yes. He resides on St. Anthony R. 2, Idaho. I have known him for
more than 25 years.

Ques. 3. Have you read or heard read said Permit No. 21035, and are you familiar with its provisions and conditions?

Ans. I am.

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. the place of diversion is in the South-West Quarter of the South-
West Quarter of Section 8, T. 7 N., R. 40 E. B. M. and it is seepage water.
The works are made of cement, about 12 inches in diameter for a part of the
way and about 14 inches for the rest of the way. total distance is about
1574 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. 2.3. second feet.

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. The water is used for irrigation of land, about 130 acres in
South West Quarter of Sec. 17, T 7 N., R. 40 E. B. M. The land is cultivated,
but as a result of the use, it has become capable of producing general irrigation
farm crops and in quantities found on general irrigation farms, previously
it was pretty well confined to dry farm crops and quantity. About 15 acres
additional have been put under cultivation as a result of the use.

21035

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, July 26, 1949

Re: Permit No. 21035
Jesse Rhodehouse

Mr. Willard C. Burton
Notary Public
St. Anthony, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 21035.

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 rights:

1. On ~~August 4, 1949~~, the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at ~~St. Anthony, Idaho~~ before ~~Willard C. Burton, Notary Public~~.

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 the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued.

Yours truly.

MARK E. KULP
Commissioner of Reclamation.
State Reclamation Engineer

21035

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date: July 5, 1949

Re: Permit No. 21035

Fremont County News

St. Anthony, Idaho

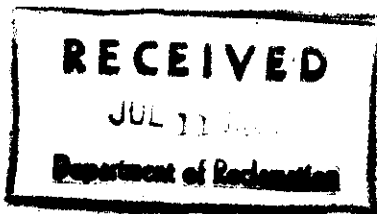
Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **August 4, 1949**, the date set for proof, the expense of the publication to be paid by the applicant, **Jesse L. Rhodehouse** of **St. Anthony, Idaho, Rt. 2**, 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 *Jeanne L. Anderson*
Chief Clerk

Mark Kulp

*Rec'd legal first pub. July 7, 1948.
Copy sent under separate cover*

Thank You

F. L. Harwood

21035

Form 1

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

Notice is hereby given that at 10:00 A. M. on the 4th day of August, 1949,
at St. Anthony, County of Fremont, State of Idaho, before
Willard C. Burton, Notary Public, proof will be submitted of the
application to beneficial use of 2.3 cubic feet per second of the waters of seepage origin
flowing in unnamed stream in accordance with the terms and conditions of Permit No. 21035
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.....

Jesse L. Rhodehouse of St. Anthony, R. 2, Idaho

The use to which said water has been applied is irrigation of farm land

The amount applied to beneficial use is 2.3 cu. feet per second

The place where said water is used (If for irrigation, give full and accurate description of the
lands irrigated) ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~
SW $\frac{1}{4}$ of Sec. 17, Township 7 North, Range 40 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 unnamed stream

The right to take water from such works is based upon Permit No. 21035

The source of supply from which such water is diverted is seepage water riging on farm
in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, Township 7 N., R. 40 E. B. M.

The date of priority which said user is prepared to establish is March 31, 1949

MARK R. KUIP

State Reclamation Engineer.

21035

May 31, 1949

Re: Permit No. 21035

Jesse L. Rhodehouse
Route 2
St. Anthony, Idaho

Dear Mr. Rhodehouse:

We enclose Certificate of Completion of Works issued under your Permit No. 21035 for the diversion of 3.2 second feet of seepage water flowing in an unnamed stream with point of diversion in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 8, Township 7 North, Range 40 East, B.M. for irrigation of the SW $\frac{1}{4}$ of Section 17, same Township and Range.

We also enclose Departmental Receipt No. 21505 for the \$5.00 paid by you in connection with this proof.

Notice of Beneficial Use Proof, to be made under this Permit on August 4, will be sent to the Fremont County News with instructions to publish it once a week for four consecutive weeks, prior to that date and to send you the Affidavit of Publication, together with statement of costs.

About ten days prior to the date set for proof, we shall send Mr. Willard C. Burton, Notary Public, the necessary forms of deposition, consisting of one for yourself and one for each of two witnesses, so that he may have them in ample time for the proof. At the time set, you should appear before Mr. Burton, together with two disinterested witnesses who are familiar with the terms of your Permit and the work done thereunder, for the purpose of executing the depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

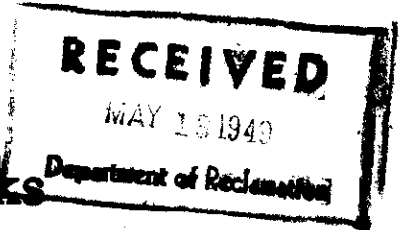
21035

Permit No. 21035

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER



STATE OF IDAHO

County of Fremont

ss.

Jesse L. Rhodehouse, 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. 21035, and that his postoffice address is St. Anthony, Rte. 2, State of Idaho.

Second: That the name of the stream which said water is to be ~~directed~~ ^{INVERTED} is

seepage water rising on property of neighbor to north, flowing in unnamed stream

Third: That the point of diversion of said water is 200 feet distant from the Northwest corner of Section 17, T. 7 N, R. 40 EBM

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by August 4, 1949.

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

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

II. Dimensions of work: diameter of pipe: 14" for 874', and 12" for 700'

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

concrete

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.

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

(d) Conduit width at bottom feet, width at water line feet.
(State whether ditch, flume or pipe)

feet, depth of water feet; diameter of pipe (see above) inches, average grade per mile is about 1 foot. Length of conduit is 1574 miles feet

Seventh: That said works are capable of conducting to the place of intended use 2.3 second feet of water.

Eighth: That water appropriated under said permit is available for 130 acres of land described as follows: South-West Quarter of Section 17 Township 7 N., Range 40 E. B. M.

Ninth: Remarks: That

J. L. Rhodehouse
(Sign Here)

Subscribed and sworn to before me this 11th day of May 1949

My commission expires Jan. 23, 1950

Notary Public

21035

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) May 11, 1949

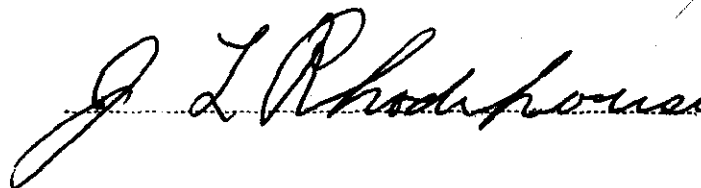
(P. O.) St. Anthony R. 2, Idaho

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

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Fremont County News of St. Anthony, published in
the county in which the works are situated.



(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.

21035

May 9, 1949

Re: Permit No. 21035

Mr. Jesse L. Rhodehouse
Route 2
St. Anthony, Idaho

Dear Mr. Rhodehouse:

We enclose Permit No. 21035 and direct your attention to the limitations and conditions of same as given on the fourth page under approval of State Reclamation Engineer.

Since your application states that the works are completed, we have allowed three months or until August 4, 1949, 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 or 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 in a county newspaper for four consecutive weeks 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 H. KULP
State Reclamation Engineer
By

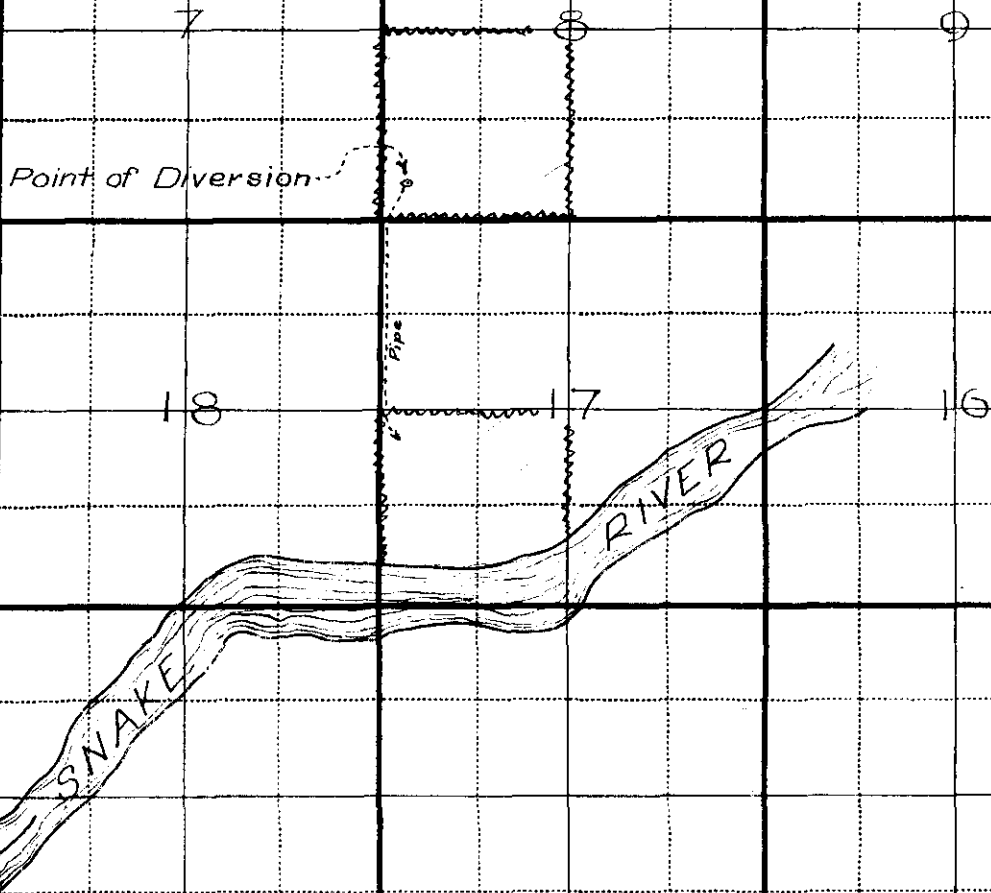
Chief Clerk

A:bh

Enc. *Rev. 21461*

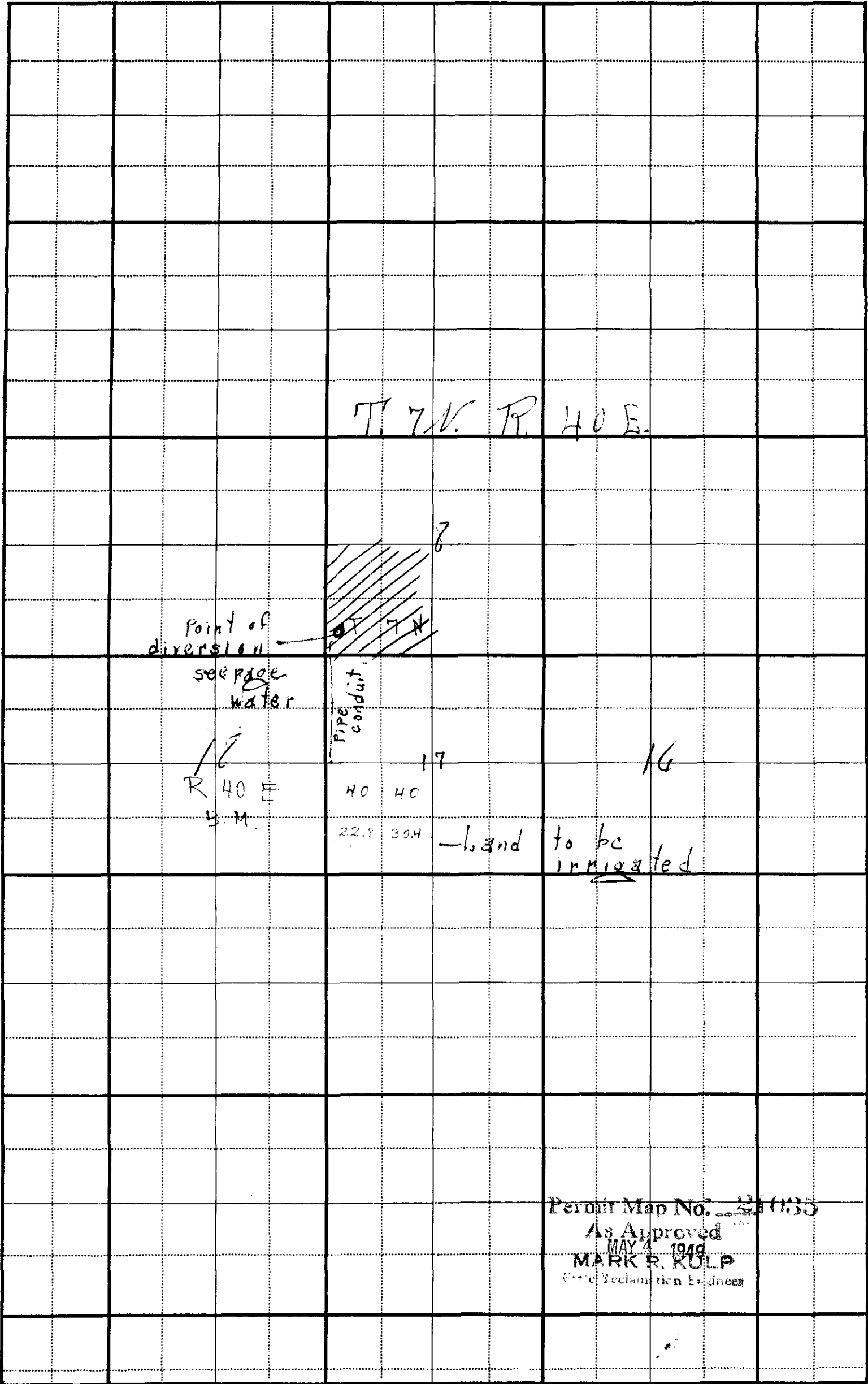
21035

T. 7 N. R. 40 E.



NAME OF APPLICANT De se l. Rhode house

FORM No. 0



Permit Map No. 21035
As Approved
MAY 4 1949
MARK R. KULP
State Reclamation Engineer

April 18, 1949

Re: Application No. 28677

Mr. Jesse L. Rhodanouse
Route 2
St. Anthony, Idaho

Dear Mr. Rhodanouse:

Your Application for Permit to Appropriate 2.3 second feet of seepage water with point of diversion in the SW $\frac{1}{4}$ Section 8, Township 7 North, Range 40 East, B.M. has been received and placed on file, but your filing fee on this amount of water is \$5.50, being at the rate of \$5.00 for the first second foot and 25 cents for each additional second foot, or fraction thereof. We therefore return your check for \$5.40, and request that you substitute for it, one for \$5.50.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

2 1035

COPY

Rexburg, Idaho
April 13, 1949

Dear Mr. Crandall:

Sorry I have been so long about this report but I just came home from Utah yesterday.

I went over the conditions of this application with Mr. Rhodehouse and I find that the water is sub water that has been used by other people who now do not want it and are willing that Mr. Rhodehouse take it. The water has been running down side of road for a year or so and the county has taken care of it but are willing that Mr. Rhodehouse take it.

The water comes from lands watered by Independent canal.

If Mr. Rhodehouse uses the water the ground water will run into Henrys Fork.

Respectfully,

(Signed) Melvin Luke

21035



C. A. ROBINS, GOVERNOR
MARK R. KULP, COMMISSIONER

STATE of IDAHO
DEPARTMENT OF RECLAMATION
LYNN CRANDALL, WATERMASTER
IDAHO FALLS, IDAHO

WATER DISTRICT NO. 36

April 15, 1949

RECEIVED

Department of Reclamation

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

Dear Mr. Kulp:

I am returning the application of Mr. Rhodehouse for
a Permit, together with a report by Melvin Luke, my deputy
watermaster on Henrys Fork.

I have no objection to the Permit being granted.

Very truly yours,

Lynn Crandall
Watermaster.

21035

March 31, 1949

Mr. Lynn Crandall, Watermaster
Water District No. 36
Box 697
Idaho Falls, Idaho

Dear Mr. Crandall:

The Department of Reclamation has received an Application for Permit to Appropriate the Public Waters of the State of Idaho.

In order for you to have all the information that we have, we are enclosing a copy of the permit and the sketch map which accompanied same.

The source of supply is somewhat unusual, therefore, we are requesting your comments on same, before we approve the application.

From the map, it looks like his point of diversion would be very close to the Independent Canal.

Applicant's statement as to source of water supply will have to be corrected to state if it is surface water from an unnamed stream or springs, or subterranean flow from a well or pump. However, we will delay in writing the applicant until we hear from you.

We thought that you would know something about the general conditions or might have someone in that vicinity who could investigate conditions, so that we could notify applicant in advance of construction of pipe line, that permit may be protested in case filing on said water was okay.

Thinking you for any information or comments you care to make, we are

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

RWT:bh

21035

January 11, 1949

Mr. J. L. Rhodehouse
Route 2
St. Anthony, Idaho

Dear Mr. Rhodehouse:

In reply to your letter of January 6, we enclose a form of application which you may use in filing on the seepage water. We also enclose a pamphlet giving regulations and instructions in regard to filing same.

Since you state that this water rises on your neighbors property, be sure to have him sign the permission on the bottom of the third page and have his signature acknowledged before a Notary Public.

When this application is approved it will be signed by the proper State officials and returned to you as a use permit, but in order to complete the water right the statutes require two proofs. The time for making these proofs should be indicated in Question 12 and 13 of the application.

The first proof or proof of completion of works is to be made when the works are all completed by an affidavit before a Notary Public on a form which will be furnished by this Department.

The final proof or proof of beneficial use is made when the water has been fully applied for the irrigation of ~~other~~ purpose for which it is to be used. Notice of this proof must be published once a week for four consecutive weeks prior to the date for making the proof, and the proof is then made by depositions of yourself and two witnesses taken before a Notary Public named in the notice.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt
Encls.

21035

St. Anthony, Idaho
Jan. 6, 1949
State Engineer Office,
Boise, Idaho

Dear Sir:

I would like information
on what I must do to
file on some seepage
water, that rises on my
neighbor's property $\frac{1}{2}$ mile
from my place. He is
willing for me to file on
it. If I need an application
blank, would you please
send me one?

Respectfully yours,
J. L. Rhodehouse
St. Anthony, Idaho, Rt. 2
21035

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date: **July 5, 1949**

Re: Permit No. 21035

Fremont County News

St. Anthony, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **August 4, 1949**, the date set for proof, the expense of the publication to be paid by the applicant, **Jesse L. Rhodehouse** of **St. Anthony, Idaho, Rt. 2**, 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

21035

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date: **July 5, 1949**

Re: Permit No. **21035**

Fremont County News

St. Anthony, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **August 4, 1949** . the date set for proof, the expense of the publication to be paid by the applicant, **Jesse L. Rhodhouse** of **St. Anthony, Idaho, Rt. 2** , 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**

21035