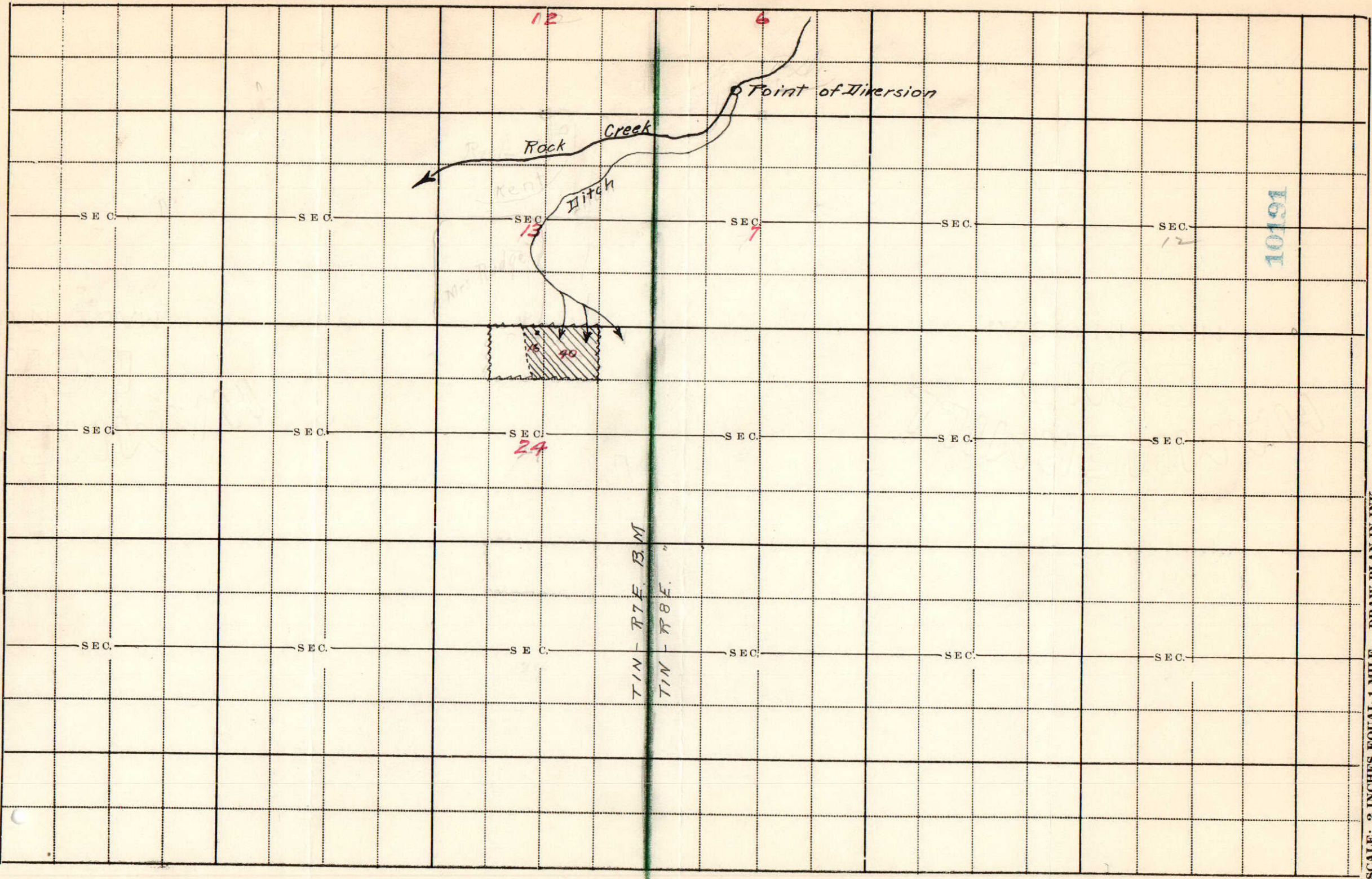


(128/24)  
#

NAME OF APPLICANT *Sedn. A. O. Rudge* 10191 D.U.



**AFFIDAVIT OF PUBLICATION**

**NOTICE FOR PUBLICATION**

**Notice of Proof of Application of  
Water to Beneficial Use**

NOTICE is hereby given that at 10 a. m. on the 19th day of February, 1923, at Lenox, County of Elmore, State of Idaho, before Jesse L. L. Basil, Notary Public, proof will be submitted of the application to beneficial use of 1 cubic foot per second of the waters of Rock Creek, in accordance with the terms and conditions of Permit No. 10191, heretofore issued by the State Engineer of the State of Idaho.

The name and postoffice address of the person holding said permit is Sedwick O. Rudge, Prairie, Idaho.

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

The amount applied to beneficial use is 1 cubic foot per second.

The place where said water is used is 50 acres in the NW  $\frac{1}{4}$  NE  $\frac{1}{4}$  and NE  $\frac{1}{4}$  NW  $\frac{1}{4}$ , Sec. 24, T. 1 N., R. 7 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 Rudge & Kent ditch.

The right to take water from such works is based upon Permit No. 10191.

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

The date of the priority which said user is prepared to establish is May 7, 1914.

W. G. SWENDSEN,  
Commissioner of Reclamation.  
Jan. 20-Feb 10

County of Elmore )

STATE OF IDAHO )

I, *J. B. Rudge* do solemnly swear that  
I am one of the publishers of the

**MOUNTAIN HOME REPUBLICAN**

a weekly newspaper of general circulation, published once a week at MOUNTAIN HOME, IDAHO; that the notice attached hereto and which is a part of the proof of the publication thereof, was published in said newspaper for 4 consecutive weeks, the

first publication having been made on the 20th day of January, 1923, and the last publication having been made on the 10th day of February, 1923;

that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the notice was published in the newspaper proper and not in a supplement thereof.

And I further swear that the said MOUNTAIN HOME REPUBLICAN has been continuously and uninterruptedly published in said Elmore County during a period of 78 consecutive weeks prior to the first publication of the attached notice.

Subscribed and sworn to before me this 10th day of February, 1923.

*C. T. Ketchum*  
Notary Public.

(My commission expires Oct 8, 1925.)

Publisher's Fee, \$

10191

Name of Applicant

Sedwick S. Pudge

Range 7 East Range 8 East

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

12

7

Rock Creek

Rock Creek  
Ditch #1

Pt. Diversion #1

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

13

18

2. cuft

Spring and Diversion #2 - 1.2 cuft.  
Ditch #2

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

24

10191

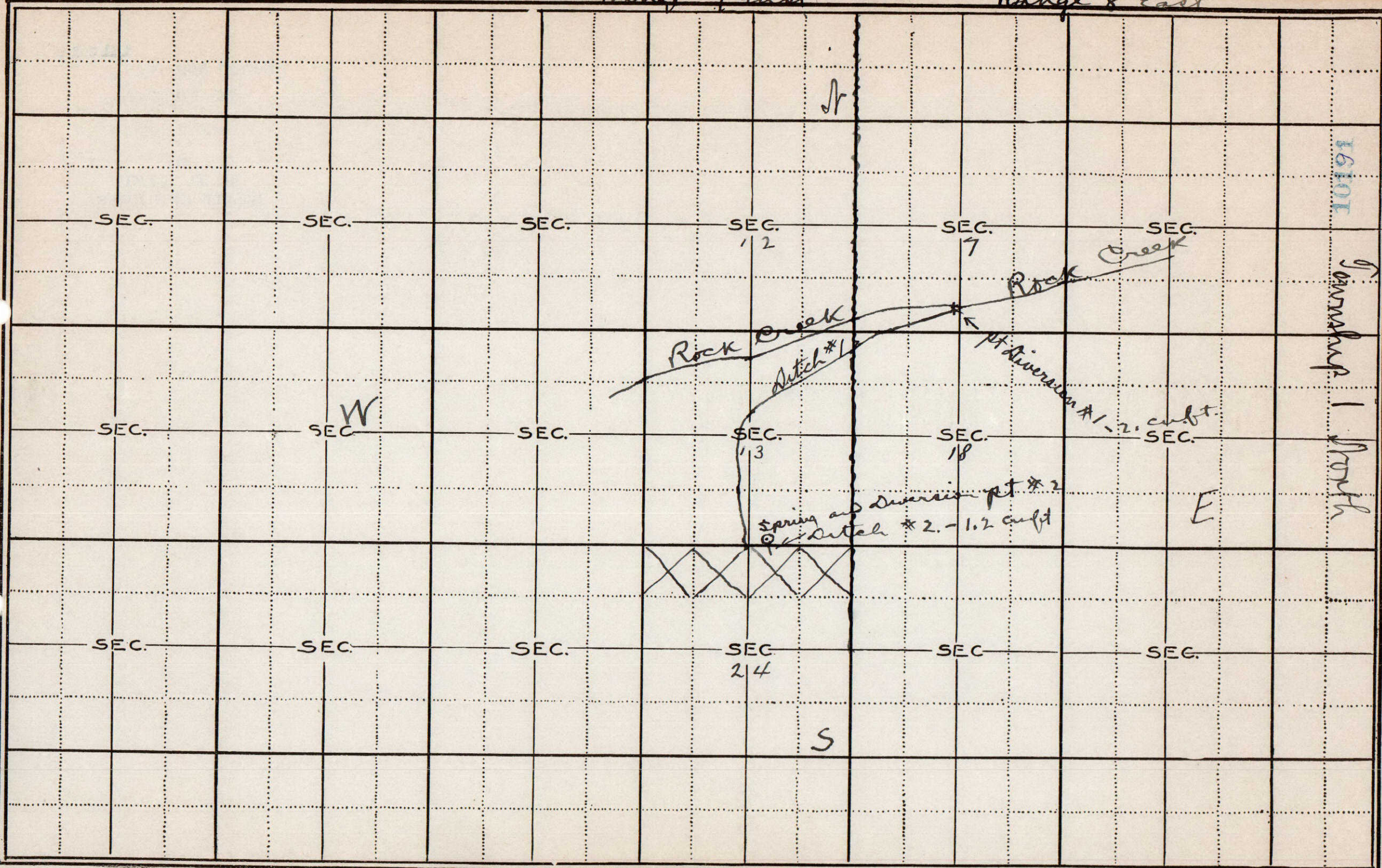
SCALE: 2 INCHES=1 MILE. DRAW PLAN IN INK.

Printed and for sale by the Statesman Shop, Boise

Name of Applicant *Benjamin G. Rudge*

*Range 7 East*

*Range 8 East*



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

Printed and for sale by the Statesman Shop, Boise, Idaho.

**State of Idaho**  
**License and Certificate of Water Right**

Water License No. 10191  
Water District No. 12-3

Amount 1.0 sec. ft.  
Priority 2-4-1915

THIS IS TO CERTIFY that Sedwick O. Rudge  
of Prairie, Idaho, made application for a permit to appropriate the  
public waters of the State of Idaho, dated May 7, 1914; that Permit No. 10191  
was issued under said application; that Certificate of Completion of works, with a carrying capacity of  
1.0 second feet, was issued thereunder on May 28, 1919, showing that said works  
were completed on the 19th day of May, 1919; and that on the 19th  
day of February, 1923,

Sedwick O. Rudge

of Prairie, State of Idaho, made proof to the satisfaction of the  
Commissioner of Reclamation of Idaho, of the right to use the waters of Rock Creek  
, a tributary of So. Fk. Boise River for the purpose of irrigation and  
domestic use, under Use Permit No. 10191 of the State Engineer  
and that said right to the use of said waters has been perfected in accordance with the laws of  
Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in  
Volume 6 of Licenses, at page 3241, on the 9th day of February, 1925;

The right hereby confirmed dates from February 4, 1915;

The Point of Diversion is located  
in the SE ¼ SW ¼, Sec. 7, Tp. 1 N., R. 8 E., B. M., Elmore 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 1.0 cubic feet per second.

Description and location of use:

| Twp. | Range | Sec. | Forty-acre Tract                  | No. Acres<br>Described in Permit | No. Acres<br>Actually Irrigated |
|------|-------|------|-----------------------------------|----------------------------------|---------------------------------|
| 1 N. | 7 E.  | 24   | NW $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                               | 40                              |
|      |       |      | NE $\frac{1}{4}$ NW $\frac{1}{4}$ | 10                               | 10                              |
|      |       |      |                                   |                                  | Total 50 acres                  |

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

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho,  
this 9th day of February, 1925

W. G. SWENDSEN  
Commissioner of Reclamation.

(SEAL)

63 223

No. 15130.

**APPLICATION FOR PERMIT**

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: **Sedwick O. Rudge.**Postoffice address: **Prairie**County: **Elmore**State: **Idaho.**

I. If applicant is a corporation, give

(a) Date and place of incorporation.

(b) The amount of capital stock.

(c) The amount paid in.

(d) Names and addresses of directors.

II. The financial resources of the applicant are: (a) Cash on hand.

(b) Treasury stock.

(c) Bonds to be issued.

(d) Other resources.

2. The quantity of water claimed is **3.2** cubic feet per second.3. Source of water supply: **Rock Creek - 2.00 - Spring 1.2**4. Location of point of diversion: #1. Rock Creek at a point in SE $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 7, 1 N. 8 E.  
#2 Spring in SW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 13, 1 N. 7 E.County of **Elmore**5. To be used for: **Irrigation and domestic uses.**I. Irrigation and domestic use: (a) Amount of land to be irrigated: **160** acres.(b) In the following legal subdivisions: **N $\frac{1}{2}$  NE $\frac{1}{4}$ , N $\frac{1}{2}$  NW $\frac{1}{4}$  Sec. 24 T. 1 N. R. 7 E. Boise Meridian.**

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

[a] At what point:

[b] Amount of power to be generated:

H. P. under

ft. head

[c] Is water to be returned to any stream?  
return:

[d] If so, name stream and locate point of

6. Estimated cost of works: **\$500.00**

7. Description of works for diversion:

I. Kind of works: **Ditch from spring and enlarging Rudge and Kent ditch from Rock creek.**

II. Dimensions of works:

[a] Height of dam feet, length of dam at top feet,

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

[b] Capacity of reservoir

acre feet.

(c) Size of headgate, width #1 - 3

#2 - 1

feet,

Height 3

feet. Ditch #1 from Rock Creek

3

feet,

width at water line 3.5

1.5

feet, depth of water 1.5

feet, diameter of pipe 1.7

inches; average grade per mile is 6

feet.

Length of conduit is .05

miles,

and it crosses the following quarter sections: Ditch #1 - SE $\frac{1}{4}$  Sec. 13, T. 1 N. R. 7 E.  
Ditch #2 - SW $\frac{1}{4}$  Sec. 7, NW $\frac{1}{4}$  Sec. 13, T. 1 N. R. 8 E. B. M. and NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , SW $\frac{1}{4}$   
Sec. 13, T. 1 N. R. 7 E. B. M.8. The time required for the completion of the construction of such work is **4** years.9. Time required for the complete application of the water to the proposed use is **3**  
additional years.

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

**Sedwick O. Rudge,**  
Applicant.

By

Agent.

Date of first receipt at office of State Engineer 2.00 p.m. May 7, 1914.

Returned to applicant for correction

Corrected application received

### APPROVAL OF STATE ENGINEER

The number of this permit is 10191

Recorded in Book 34 Page 0191 Approved May 22, 1914.

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 July 21, 1914 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 May 22, 1916.

The whole of said work to be completed on or before May 22, 1918.

Beneficial use of water appropriated in accordance herewith, to be made on or before May 22, 1921.

Witness my hand this 22nd day of May, 1914.

F. P. King,  
State Engineer.

### Remarks:

Ditch designated as #1 is at present constructed and is known as the Rudge and Kent ditch - being owned by W. N. Rudge and F. M. Kent, except that it will be necessary for me to enlarge the said ditch to the dimensions hereinabove given.

The spring from which the water is to be diverted into ditch #2 is on vacant public land of the United States - see attached affidavit.

State of Idaho)  
County of Ada )ss

Sedwick O. Rudge being first duly sworn deposes and says.

That he is the applicant for a permit to divert 1.2 cubic feet per second of time of the waters of a spring on the SW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 13, T. 1 N. R. 7 E. B. M., and that the said SW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 13 is vacant unappropriated public land of the United States and is not occupied by any person or persons, nor is said land claimed by any person under the public lands laws or at all.

Sedwick O. Rudge,

Subscribed and sworn to before me this 7th day of May, 1914.

Notary Public.

### EXTENSION OF TIME

Upon proper request of Sedwick O. Rudge, holder of Permit No. 10191, I have this 29th day of April, 1918, extended the time for completion of works thereunder to the 22d day of May, 1919.

FRED A. WILKIE, State Engineer.

Permit holder, by letter, abandoned his right under the above permit to the water of the spring named therein, and also his right to 1 foot of the waters of Rock Creek.

Works completed: May 19th, 1919  
Certificate issued: May 28th, 1919

Permit No. 10191

### CERTIFICATE OF COMPLETION OF WORKS.

TO ALL WHOM IT MAY CONCERN:

This is to certify that Sedwick O. Rudge of Mountainhome, County of Elmore and State of Idaho, the holder of Permit No. 10191, issued upon Application No. 15130 bearing date of priority of May 7th, 1914, authorizing the diversion of 3.2 second feet of the waters of Rock Creek and a spring, County of Elmore, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use one second feet of the waters of Rock Creek; that the point of diversion of said waters is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 7, T. 1N., R. 8E. B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 50 acres of 1 in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 24, T. 1N., R. 7E. B. M.

Witness my hand this 28th day of May, 1919.

Recorded by

Checked by

W. G. Swendsen.  
Commissioner of Reclamation.  
By S. T. Baer.

License issued for 1.2 second feet

Page 3241

WATER RIGHT NUMBER 63-2237✓

OWNER LAST NAME - RUDGE✓

ADDRESS LINE 1 -

ADDRESS LINE 3 -

SOURCE - ROCK CREEK✓

STAGE - LICENSE✓

TOTAL DIV. VOLUME -

DIVERSION POINT - SESW 07 01N 08E LOT

FROM - TO -

FROM - TO -

USE - IRRIGATION✓

DECREE NAME -

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PROOF MADE -

DIVERSION MEANS -

FIRST NAME - SEDWICK O.✓

ADDRESS LINE 2 -

CITY - PRAIRIE✓

TRIBUTARY OF - BOISE RIVER, SOUTH FORK✓

PRIORITY - 02-04-1915✓

WATER DIST. - 63✓

272.0 312.0 96.0

USE DIV. RATE -

USE DIV. RATE -

PLACE OF USE - TWN 01N RNG 07E SEC 24

DATE -

ORIG OWNER -

STATE - ID✓ ZIP CODE -

COUNTY - ELMORE✓

DLE/CAREY ACT -

TOTAL DIV. RATE - 1.0000 -CFS

RIGHT BASIS -

0.0 0.0 0.0 0.0 0.0 0.0 0.0 2.9

USE DIV. VOLUME -

USE DIV. VOLUME -

AC 40-TRACT NENW-LOT

TOTAL ACRES

AC 10✓

50✓

PROTESTED -

HEARING -

OLD NO. - 10191✓

VERIFIED J G  
3/5/85

IDENT. NO. 63-2237

WATER RIGHT  
DATA ENTRY LOG

[illegible]

W. H. Meade  
J. O. Pringle  
Stager

Gentlemen: Please find check  
inclosed for \$100.00

Permit No 10191

yours truly

J. O. Pringle

10191

10191

January 27, 1925

Re: Permit No. 10191

Mr. Sedwick O. Rudge  
Prairie, Idaho

Dear Sir:

We would respectfully refer you  
to our letter of August 6, 1924, advising  
you that upon receipt of fees in the sum  
of \$1.00 license would be granted under  
the above numbered permit.

Please may we have an early reply.

Very truly yours,

W. G. SWENDSEN  
Commissioner of Reclamation

By \_\_\_\_\_  
Chief Clerk

CB:EK

10191

February 9, 1925

Re: Permit No. 10191

Mr. Sedwick O. Rudge  
Mountain Home, Idaho - *Idaho - 10191*

Dear Sir:

We enclose herewith Water License  
issued under the above numbered permit,  
together with receipt for fees paid.

Very truly yours,

W. G. SWENSON  
Commissioner of Reclamation

By                       
Chief Clerk

Encl.

10191

August 6, 1924.

Re: Permit No. 10191.

Mr. Sedwick O. Rudge,  
Prairie, Idaho.

Dear Sir:-

The report of our engineer in the matter of proof of beneficial use of water under the above permit is now on file in this office. Upon receipt of \$4.00 fees, license will be issued you.

Very truly yours,  
W. G. SWENDSEN,  
Commissioner of Reclamation.

By \_\_\_\_\_  
Chief Clerk.

10191

# REPORT OF ENGINEER

This proof is for Beneficial UseIn Water District No. 12-R

1. State name of applicant and number of permit: Seawick O. Rudge-Permit #10191
2. State source of water supply: Rock Creek
3. Location of point of diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$  Sec. 7, Twp. 1 N., R. 8 E., B.M.

4. Describe works as they exist, giving dimensions and capacities of same: Diversion of rock & earth 10 ft. long, 15 ft. high, ditch 3 ft. wide at head x 15 ft. deep, quite a steep grade

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

6. Give exact location of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): NW $\frac{1}{4}$ NE $\frac{1}{4}$  and NE $\frac{1}{4}$ NW $\frac{1}{4}$  Sec. 24, Twp. 1 N., R. 7 E., B.M.

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

8. How many parties conduct water in this system?

9. Give names and amount of each right:

10. What large stream would the water here appropriated finally reach? So Fork Boise River

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

Remarks: Rock Cr. is adjudicated vid Dist & Supreme courts (Rudge v. Kent & Simmons)

This examination was made on the 28th day of July

1924

(Signed)

W. A. Johnson

10191 miner.

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

STATE OF IDAHO,

County of ss.

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

Subscribed and sworn to before me this 19 day of 19

My commission expires Notary Public.

10191

12-R - Edmore

Sedwick O. Rudge

Prairie

Permit No. 10191

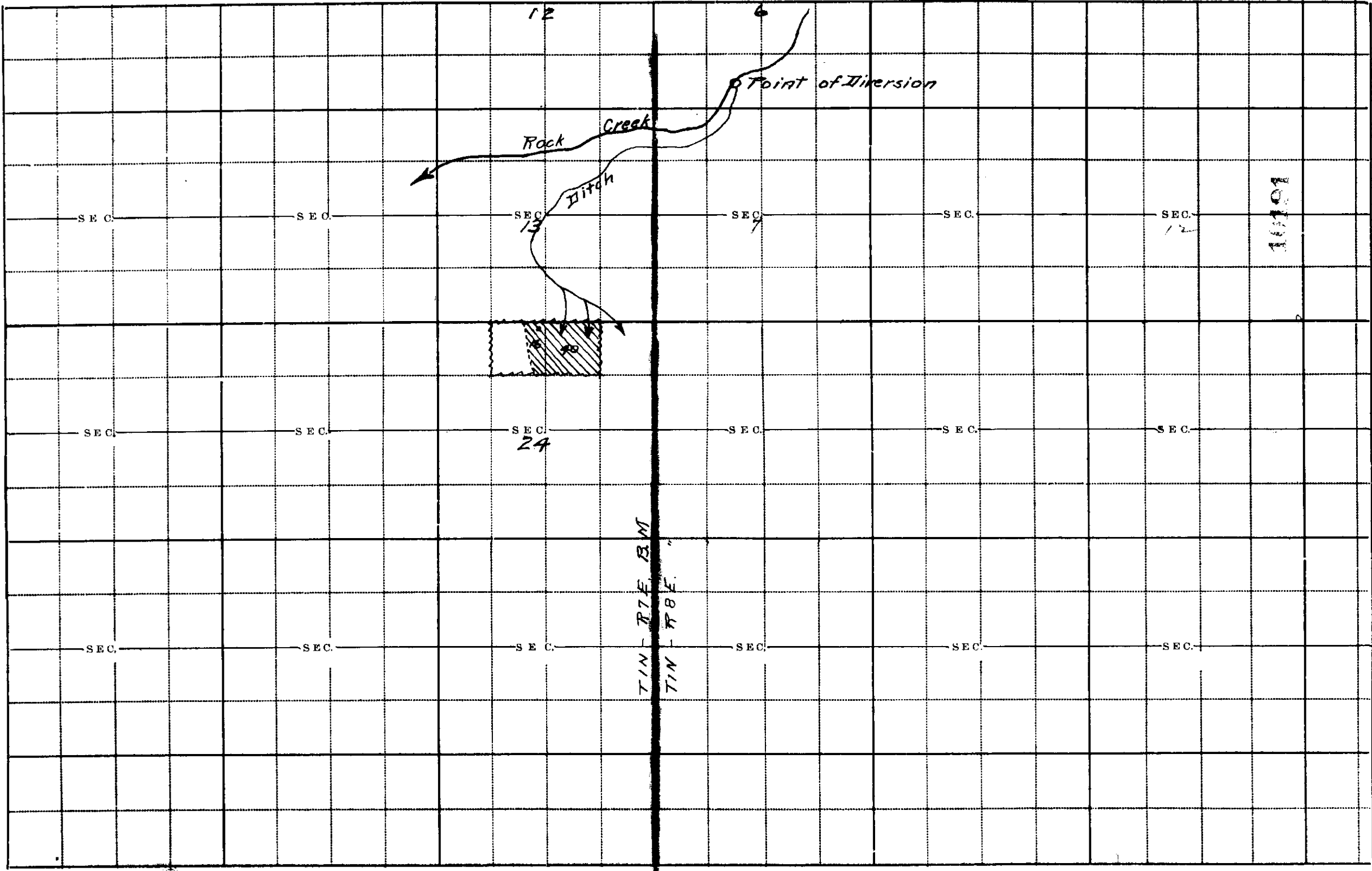
### Instructions to Examiners

1. Examiners will not be permitted to examine any of the receipts in the office pertaining to this permit. They are to furnish a report of the facts and conditions as they exist, from their own observations and inquiries.
2. Always carefully note the location of the point of diversion, and accurately plat same.
3. Find out how many parties own right in the ditch or canal and give their names and amount of right.
4. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
5. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
6. If any unusual conditions are discovered, make a plain statement of them under remarks.
7. Always see the holder, if possible, and go over the whole ground with him, and make your report only upon actual existing facts and conditions.

10 miles, on main road  
from creek + 1 1/2 m. + ho.  
at left of rd. 1/2 m. "T"  
ask "nick" Kent etc

(128/24)  
77

NAME OF APPLICANT *Sedn. & O. Ridge #10191 D.U.*



March 9, 1923.

Re; Permit No. 10191

Federal Land Bank,  
Spokane, Wn.

Gentlemen:

Mr. Sedgewick O. Rudge of Mountain Home, Idaho, called at our office this morning relative to the status of a certain water right irrigating land for which he has made application for a Federal farm loan. Mr. Rudge stated that it was now required that he furnish evidence of this water right in the form of a certified copy of a water license. Inasmuch as proof of beneficial use under the provisions of this permit was not required and made until February 19th of this year, it has been impossible heretofore to make the required field examination which our statutes provide must be made prior to the issuance of a license. Weather and snow conditions on the road leading to Mr. Rudge's ranch are such that it will not be physically possible for an examiner from this office to reach this place until sometime next June.

I have examined the record in this case and find that all provisions and requirements of the permit law relating to this particular permit have been met. Mr. Rudge is the record holder of permit No. 10191 calling for the diversion of 3.2 second feet of water, of which 2 second feet will be supplied by Rock Creek and 1.2 second feet from a spring. Certificate of completion of works was issued on this permit May 28, 1919 for 3.2 second feet of water to irrigate 50 acres in the NW $\frac{1}{4}$  NE $\frac{1}{4}$  and the NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 24, T. 1 N. R. 7 E. B. M. Proof of beneficial use of water was made on this permit February 19, 1923.

Inasmuch as the only remaining requirement is that of the field examination prior to the issuance of license, it appears reasonably safe to assume that this permit will be matured into a licensed right as soon as such an examination can be made.

As I explained heretofore, this examination could not legally be made prior to the date proof was due and since such proof has been made, physical conditions will not permit of such examination until sometime during the early summer.

This letter is written at the instance of Mr. Rudge to supply you with all data regarding the status of this permit and to assure you that it is our belief that same will eventually ripen into a licensed right.

Very truly yours,

10191

Assistant Commissioner  
of Reclamation

GNC:P

February 24, 1923.

Re: Permit No. 10191.

Messrs. Elliott, Healy & Smead,  
Attorneys at law,  
Empire Building,  
Boise, Idaho.

Gentlemen: Attention Mr. Elliott.

By request, we are sending herewith special certificate  
showing status of the above numbered permit.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

By  
Chief Clerk.

Encl.

10191

February 23. 1923.

Re: Permit No. 10191-

Mr. Sedwick O. Rudge,

Prairie, Idaho.

Dear Sir:-

We are today in receipt of depositions and affidavit of publication for proof of use of water under the above numbered permit. These will be filed pending the examination and report of our engineer later in the spring. after which you will be further advised in the matter.

Very truly yours,

W. G. SWENDBSEN,

Commissioner of Reclamation.

By  
Chief Clerk.

10191

# AFFIDAVIT OF PUBLICATION

## NOTICE FOR PUBLICATION

### Notice of Proof of Application of Water to Beneficial Use

NOTICE is hereby given that at 10 a. m. on the 19th day of February, 1923, at Lemox, County of Elmore, State of Idaho, before Jesse L. L. Basil, Notary Public, proof will be submitted of the application to beneficial use of 1 cubic foot per second of the waters of Rock Creek, in accordance with the terms and conditions of Permit No. 10191, heretofore issued by the State Engineer of the State of Idaho.

The name and postoffice address of the person holding said permit is Sedwick O. Rudge, Prairie, Idaho.

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

The amount applied to beneficial use is 1 cubic foot per second.

The place where said water is used is 50 acres in the NW 1/4, NE 1/4 and NE 1/4 NW 1/4, Sec. 24, T. 1 N., R. 7 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 Rudge & Kent ditch.

The right to take water from such works is based upon Permit No. 10191.

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

The date of the priority which said user is prepared to establish is May 7, 1914.

W. G. SWENDSEN,  
Commissioner of Reclamation.  
Jan. 20-Feb 10

County of Elmore )

STATE OF IDAHO ) ss.

I, J. K. Rudge, do solemnly swear that I am one of the publishers of the

### MOUNTAIN HOME REPUBLICAN

a weekly newspaper of general circulation, published once a week at MOUNTAIN HOME, IDAHO; that the notice attached hereto and which is a part of the proof of the publication thereof, was published in said newspaper for 4 consecutive weeks, the

first publication having been made on the 20th day of January, 1923, and the last publication having been made on the 10th day of February, 1923;

that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the notice was published in the newspaper proper and not in a supplement thereof.

And I further swear that the said MOUNTAIN HOME REPUBLICAN has been continuously and uninterruptedly published in said Elmore County during a period of 78 consecutive weeks prior to the first publication of the attached notice.

Subscribed and sworn to before me this 10th day of February, 1923.

C. T. Shuchard  
Notary Public.

(My commission expires Oct 5, 1925.)

Publisher's Fee, \$.....

10191

PERMIT NO. 10191**Proof of Application of Water to Beneficial Use****DEPOSITION OF HOLDER**

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

Ans. Adwin O. Rudge Age 30 years Prairie Idaho.  
Occupation - Farmer P.O. Address - Prairie Ida.

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

Ans. No

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

Ans. Permit No. 10191 Date of priority May 7, 1914

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

Ans. Source Rock Creek Point of diversion is in  
the S.E. 1/4 of N.W. 1/4 of Sec 7 T. 1 North R. 8, East

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. Irrigating ditch 18 inches on bottom with banks  
1 foot high capable of carrying 2 cubic feet of water  
Name of ditch is Runt and Rudge Fell  
1/4 inch to end

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 and domestic purposes: Land actually  
irrigated is 20 acres of N.W. 1/4 of N.E. 1/4 and 30 acres of  
N.E. 1/4 of N.W. 1/4 of Sec 24 T. 1 North R. 7 E. B.M.  
Cultivated meadow of alfalfa produces about 2 tons to acre

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

Ans. None other than domestic purposes

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

Ans. One second foot

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. Originally issued to Adwin O. Rudge

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

Ans.

*All water used every year since completion of ditch*

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

Ans.

*No other waters available*

(Sign)

*Samuel O. Bridge*

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 *Lewiston*, County of

*Claire* State of Idaho, on this *19<sup>th</sup>* day of *February*

A. D. 19*23*

*Jesse S. Basil*  
*Lewiston, Idaho*  
*Term expires Aug 21 1923*

10191

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

PERMIT No. 10191

## 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. J. J. Green Age 45 Res Prairie Idaho  
(Occupation Farmer P.O. address Prairie Ida

Ques. 2. Are you acquainted with Sedwic O Rudge, the

holder of Permit No. 10191? How long have you known him and where does he reside?

Ans. I have known Sedwic O Rudge for  
about 5 years his residence is at or near Prairie Ida

Ques. 3. Have you read or heard read said Permit No. 10191, 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. Course Rock Creek Point of diversion is in  
N.E. 1/4 of S.W. 1/4 of Sec 7 T. 1 N. R. 8 E. of B.M. Irrigating  
ditch about 18 inches on bottom with banks one  
foot high with 1/4 inch to rod fall

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. Two 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. Irrigating and domestic purposes Land  
actually irrigated is 20 acres of N.W. 1/4 of N.E. 1/4 and  
30 acres of N.E. 1/4 of N.E. 1/4 of Sec 24 T. 1 N. R. 7 E. B.M.  
Cultivated alfalfa meadow produces about 2 bushels

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

Ans. None other than domestic purposes

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

Ans. granite formation of land and requires no less than one second inch per acre

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

Ans. None

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

Ans. Since 1917 and water has been used yearly

(Sign)

J. J. Green

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 Lenox, County of Elmore, State of Idaho, on this 19th day of February A. D. 1923

Jesse H. Baile

Notary Public.

My commission expires Aug 21 1923

Lenox Ida

10191

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

PERMIT No. 10191

## 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. Ora Engelman age 27 years Res. Prairie Idaho Occupation Farmer P.O. Ad. Prairie Ida

Ques. 2. Are you acquainted with Edwin O Rudge, the

holder of Permit No. 10121? How long have you known him and where does he reside?

Ans. I have known Edwin O Rudge for 15 years  
and he resides at or near Prairie Idaho in P.M.

Ques. 3. Have you read or heard read said Permit No. 10191, 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. Source Rock Creek Point of diversion is in NE 1/4  
of S. W. 1/4 of Sec. 7, T. 1 North R. 8 East. of B.M.  
Irrigating ditch about 18 inches on bottom with  
bank one foot high 14 inch to rock fall

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. Two 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. Irrigation and domestic purposes Land Actually  
irrigated is 20 acres of NW 1/4 of NE 1/4 and 30 acres of  
NE 1/4 of NW 1/4 of Sec 24 T. 1 North R. 7 E. B.M.  
Cultivated alfalfa meadow produces about 2 tons per acre

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

Ans. *None other than domestic purposes*

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

Ans. *Granite formation of land and requires no less than one second inch per acre*

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

Ans. *None*

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

Ans. *Since 1919 and water has been used as usual.*

(Sign) *Orin Engelman*

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 *Lemox*, County of *Blaine*, State of Idaho, on this *19* day of *February* A. D. 19*23*

*James H. Burt*  
Notary Public.

My commission expires *August 21, 1923*

10191

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) January 13, 1923

(P. O.) Boise, Idaho

TO THE STATE ENGINEER:

Boise, Idaho.

Dear Sir:

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

Sedwick O. Rudge

By

*R. O. Rudge*  
Agent

(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

10494

# NOTICE FOR PUBLICATION

## NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 a. m. on the 19th day of February, 1923,  
at Lenox, County of Elmore, State of Idaho,  
before Jesse L. L. Basil, Notary Public, proof will be submitted  
of the application to beneficial use of 1 cubic feet per second of the  
waters of Rock Creek in accordance with the terms and conditions of  
Permit No. 10191 heretofore issued by the State Engineer  
of the State of Idaho.

The name and postoffice address of the person ~~xxxxxxxxxx~~ holding said permit is  
Sedwick O. Rudge, Prairie, Idaho

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

The amount applied to beneficial use is 1 cubic foot per second

The place where said water is used ~~at the place where the water is used~~  
is 50 acres in the NW $\frac{1}{4}$  NE $\frac{1}{4}$  & NE $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 24 T. 1 N. R.  
7 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 Rudge & Kent ditch

The right to take water from such works is based upon Permit No. 10191

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

The date of the priority which said user is prepared to establish is May 7, 1914

W. G. SWENDSEN

Commissioner of Reclamation.

10191

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

2/19/23

DATE January 13, 1923.

**Publisher, The Republican,  
Mountain Home, Idaho.**

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to February 19, 1923, the date set for proof, the expense of the publication to be paid by the applicant, Sedwick G. Rudge, of Prairie, Idaho. to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

**W. G. SWENDSEN ,**

*Commissioner of Reclamation.*

16191

**State of Idaho**  
**ENGINEERING DEPARTMENT**  
**BOISE**

**INSTRUCTIONS**

~~PROOF OF COMPLETION OF WORKS~~  
~~AND~~  
**PROOF OF BENEFICIAL USE OF WATER**

BOISE, IDAHO,

**January 31, 1923.**

**Sedrick C. Bridge,**  
**c/o Jesse L. L. Basil,**  
**Lenox, Idaho.**

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of completion of ~~works and~~ beneficial use of water under Permit No. 10191.

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 February 19, 1923, the date set for proof, the enclosed forms (~~one~~ for permit holder and ~~two~~ each for two disinterested witnesses) should be filled out and sworn to, at Lenox before Jesse L. L. Basil, 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,

~~E. G. SWANSON,~~  
**Commissioner of Reclamation.**  
~~State Engineer~~

10191

10191

May 28th  
1919

In re: Permit: 10191

Sedwick O. Rudge  
Prairie State  
Mountainhome, Idaho

Dear sir:

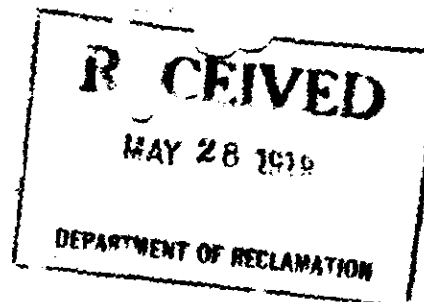
Herewith find certificate of completion of works issued under the above permit, showing completion of works capable of carrying one foot of the waters of Rock Creek.

Yours very truly,

W. G. Swendsen,  
Commissioner of  
Reclamation.

By:

10191



Dear Sir

With your letter in hand  
of May 21, I will withdraw  
my filings on spring  
at this time and use  
this water for domestic  
purposes for four years.  
I will apportion remainder of  
amount called for in my permit  
map & proof on what is  
described above.

10191

Yours

Truly  
S. A. Rindge

Permit No. 1091

OFFICE OF STATE ENGINEER

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO,

County of ELMORE

SS.

Sedwick O. Rudge

, 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. 1091 and that his postoffice address is Mountainhome, Prairie stage State of Idaho

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

Rock Creek

Third: That the point of diversion of said water is

SE 1/4 SW 1/4 Sec. 7, T. 1 N. R. 7 E. B.M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by May 22d, 1919.

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 1 1/2 feet, width at water

(State whether ditch, flume or pipe)

line 2 feet, depth of water 10/12 feet; diameter of pipe inches;

average grade per mile is 7 feet. Length of conduit is 2 1/8 miles.

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

one second feet of water.

Eighth: That water appropriated under said permit is available for 50 acres of land described as follows: in NW 1/4 NE 1/4 and NE 1/4 NW 1/4 of Sec 24 in the westerly part of the NW 1/4 NE 1/4 and easterly part of NE 1/4 NW 1/4.

Ninth: Remarks: That This is for flood waters only and has been on over twenty acres for two years.

Sedwick O. Rudge  
(Sign here)

Subscribed and sworn to before me this 19th day of May, 1919.

D. A. Utter  
Notary Public.

My commission expires July, 1922.

Residing at Mountainhome, Idaho.

10191

RECEIVED  
MAY 12 1919  
DEPARTMENT OF RECLAMATION

May 21st  
1919

In re: Permit: 10191

Sedwick O. Rudge  
Mountainhome, Idaho

Dear sir:

This will acknowledge receipt of affidavit of proof of completion of works, which I am returning herewith, and respectfully call your attention to the following:

Your permit calls for 1.2 second feet from the waters of a spring with a point of diversion located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 13, T. 1 N., R. 7 E.; this spring is not mentioned in the proof, and if the waters of the spring have been abandoned, the proof is correct in that respect and no correction need be made.

The permit calls for two second feet of the waters of Rook Creek with a point of diversion in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 7, T. 1 N., R. 6 E., while your proof describes the point of diversion as being located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 7, T. 1 N., R. 7 E., if the point of diversion has been changed you should make application for change of point of diversion, if not, then the proof should be corrected.

Inasmuch as you state that the works are only capable of carrying one cubic foot, I take it that you mean to abandon 2.2 second feet, the remainder of the amount called for in your permit. Kindly advise.

All corrections to be made in connection with the affidavit should be made before the notary before whom sworn to.

I am also returning money order, which kindly submit again with the corrected affidavit. If the point of diversion is to be changed, blank will be furnished upon request.

Yours very truly,  
W. G. Swendsen,  
Commissioner of Reclamation

10191

10191

May 4, 1918.

Mr. Sedwick O. Rudge,  
Prairie,  
Idaho.

Dear Sir:

This is to advise you that your application for extension of time for completion of works has been approved and May 22d, 1919, set as the date for proof.

Very truly yours,

FRED A. WILKIE,  
State Engineer,

By

10191

Permit No. 10191

# Application For Extension of Time For Completion of Works

SEDWICK O. RUDGE

of Prairie

State of Idaho

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

He is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 10191

Under the terms and conditions of said permit, construction work thereunder was required to be completed by May 22, 1918.

That he has heretofore performed the following work described under said permit: Constructed an extension of the Rudge & Kent ditch for a distance of approximately one-fourth (1/4) mile, the conditions extended being fifteen (15) inches wide on the bottom capable of carrying water one foot in depth. Spring has been dug out and boxed and a pipe for carrying water from the box has been put in. It will be necessary to enlarge ditch somewhat before the work is completed as contemplated. The above work costing \$200.00

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

Aforeseen difficulties were encountered in the formation throughout which the extension is constructed which required more time and work than was anticipated.

WHEREFORE, He asks that the State Engineer extend the time for the completion of construction work under said permit, to May 22nd, 1919

And further, deponent saith not

Subscribed and sworn to before me this

18th

day of

April

1918.

*Sedwick O. Rudge*

*L. A. Stenap*

Notary Public.

My commission expires Aug. 25, 1921

Date of receipt at office of State Engineer

## APPROVAL OF STATE ENGINEER.

Fred A. Wilkie,

State Engineer of the State of Idaho, hereby extend the time for the completion of construction work under Permit to Appropriate the Public Waters of the State of Idaho, No. 10191, to May 22nd, 1919.

Witness my hand this

29th

day of

April

1918.

*Fred A. Wilkie*

State Engineer.

(over)

10191

Effective April 10, 1911.

*STATE ENGINEER'S OFFICE.*

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

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

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

(over)

**State of Idaho**  
**ENGINEERING DEPARTMENT**  
**BOISE**

**INSTRUCTIONS**  
**PROOF OF COMPLETION OF WORKS**

**Sedwich O. Rudge,**  
**Prairie, Idaho.**

Boise, Idaho, **Feb. 1, 1918.**

Dear Sir:—

Under the terms of your permit No. 10191, you are required to complete your diversion works on or before May 22, 1918. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

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

Yours truly,

J. H. SMITH,

*State Engineer.*

**10191**

STATE OF IDAHO  
ENGINEERING DEPARTMENT  
BOISE

A. E. ROBINSON,  
STATE ENGINEER

Permit No. 10191

BOISE, IDAHO, May 28, 1914.

Dunning and Taylor,  
Boise, Idaho.

*Dear Sir:*

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

A. E. ROBINSON,  
*State Engineer.*

10191

Name of Applicant *Deidunck v. P. Andys*

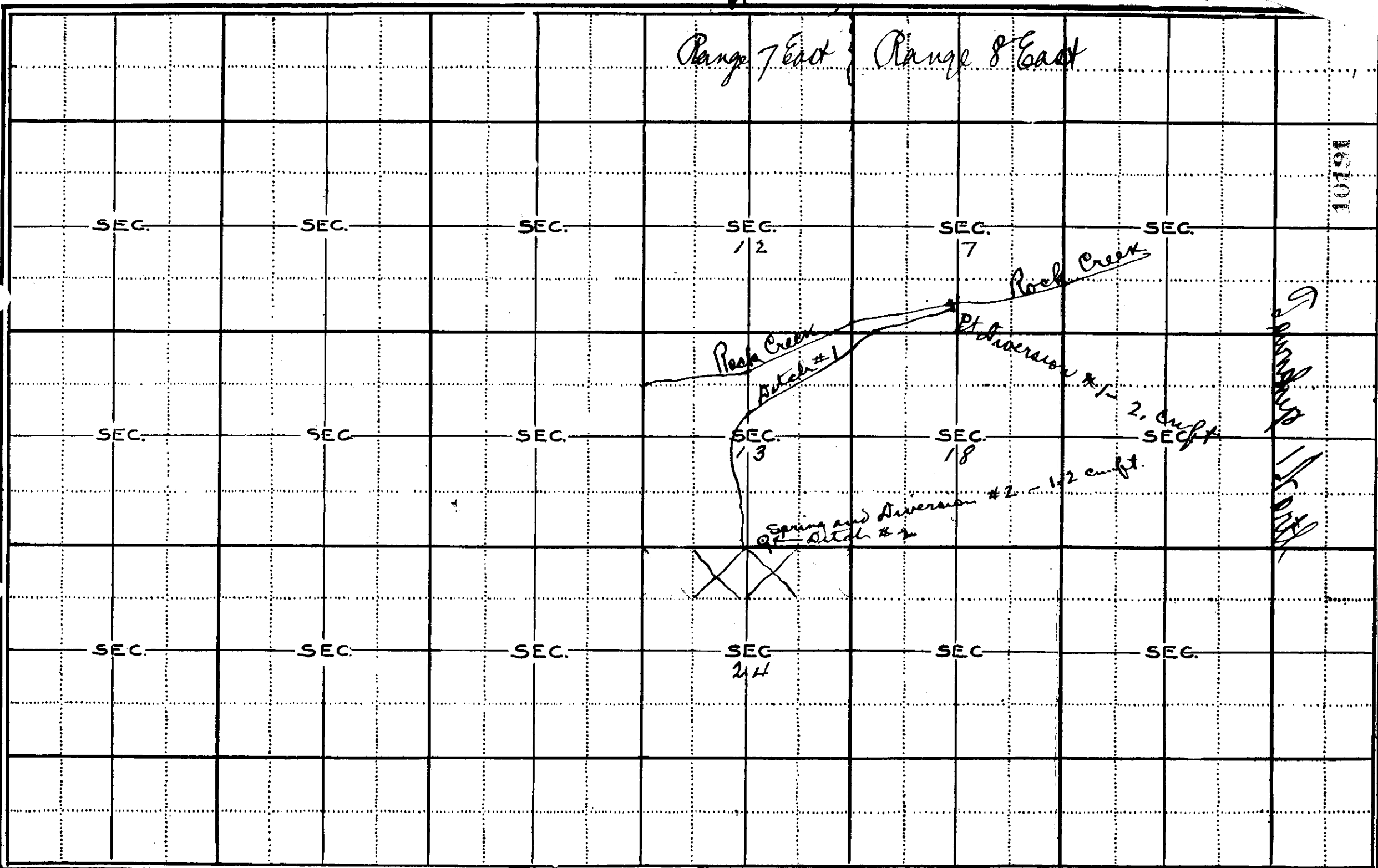
*Range 7 East Range 8 East*

10191

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

Printed and for sale by the Statesman Shop, B...

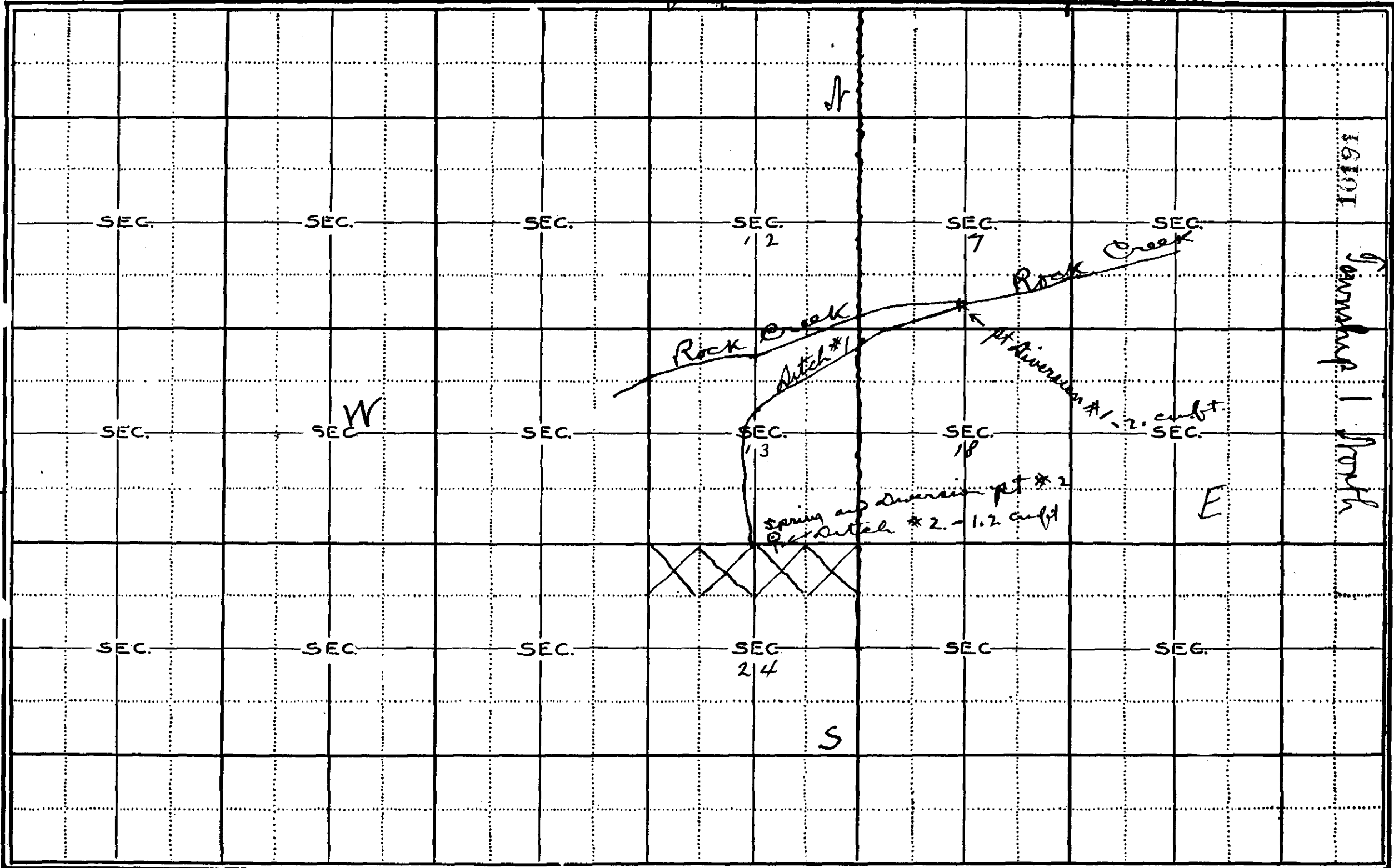
2



Name of Applicant *Benjamin H. Gifford*

Range 7 East

Range 8 East



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

Printed and for sale by the State Surveyor, Boise, Idaho.

Boise, Idaho, May 12, 1914.

Application 15130.

Leslie M. Hoagland,  
Mountain Home, Idaho.

Sir:--

The above application received and  
filed. Same is herewith returned to be trans-  
ferred to the form now in use, copy of which is  
herewith enclosed.

Very truly yours,

F. P. KING,

State Engineer.

By \_\_\_\_\_

Enc. A. 15138-FPR 9178-Fl.

W/G.

10191