

47-2473

 County of Cassia *
 Rock Creek. *
 .8 of 1 sec. ft. *
 irrigation and domestic use *
 Priority, 11/6/05. *

S T A T E O F I D A H O .

WATER LICENSE No. 1664.

WHEREAS, On the 6th day of November, A. D. 1905, DAN. P. ALBEE, of Buhl, County of Twin Falls, State of Idaho, duly made application (No. 2300) to me for a permit to use .8 of 1 cubic foot per second of the waters of Rock Creek, county of Cassia, State of Idaho, for irrigation and domestic purposes, and

WHEREAS, ON the 11th day of November, A. D. 1905, Permit No. 1664 was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 11th day of November, A. D. 1907, and for the application to beneficial use of said water on or before the 11th day of November, A. D. 1909, and,

WHEREAS, On the 10th day of November, A. D. 1906, DAN P. ALBEE, the holder of said permit duly made proof of the completion of adequate works for the diversion of .8 of 1 cubic foot per second of said water, as evidenced by my Certificate No. 1664, dated December 18, 1906, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use .8 of 1 cubic foot per second of the waters of Rock Creek, with date of priority of November 6, 1905, and,

WHEREAS, On the 16th day of June, A. D. 1909, DAN P. ALBEE, the holder of said permit duly made proof of the application to beneficial use of .8 of 1 cubic foot per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to DAN P. ALBEE, of Buhl, County of Twin Falls, State of Idaho, then holder and owner of said Permit No. 1664, a perpetual right, dating from November 6, 1905, to the use of .8 of 1 cubic foot per second of the waters of Rock Creek, in the County of Cassia and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 36, Township 11 South, Range 18 East of Boise Meridian, and conducted to and upon (40 acres of the Southwest quarter of the Northeast quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 25, Township 11 South of Range 18 E. B. M. for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 16th day of July, A. D:
 Nineteen hundred and nine.

Jas. Stephenson, Jr.,
 State Engineer.

(SEAL)

Recorded July 16th, 1909.

~~45-2008~~
 47-2473

No. 2300.

A P P L I C A T I O N F O R P E R M I T

To Appropriate the Public Waters of the State of Idaho.

1. Name of applicant - DAN P. ALBEE
Postoffice address: P. O. - Rock Creek.
County - Cassia Co.
2. The quantity of water claimed is four-fifths (4/5) cubic feet per second.
3. Source of water supply - Rock Creek.
County of Cassia. *TFALLS*
4. Location of point of diversion - SE4 of SW4 of Sec. 36, T. 11 S., R. 18 E. B. M.
5. To be used for:
 - I. Irrigation and domestic use: Irrigation
 - (a) Number of acres to be irrigated (40) Forty acres.
 - (b) In the following legal subdivisions - SW4 of NE4 of Section 25, T. 11 S., R. 18 E. B. M.
6. Estimated cost of works - Two hundred dollars.
7. Description of Works for Diversion:
 - I. Kinds of works - Rock & Earth dam, Ditch.
 - II. Dimensions of Works:
 - (a) Height of dam 3 feet, length of dam at top 20 feet, length of dam at bottom 22 feet, material used in construction - Rock & Earth.
 - (c) Size of headgate, width two feet, height one foot.
 - (d) Ditch (flume or pipe) width at bottom one foot, width at water line 2 feet, depth of water one foot. Average grade per mile is four feet. Length of ditch is one and $\frac{1}{2}$ miles, and it crosses the following quarter sections - SW4 and SE4 and NE4 of Sec. 36, and SE4 of Sec. 25, all in T. 11 S., R. 18 E. to SW4 of NE4 of Sec. 25, 11 S., R. 18 E., which is the point of intended use.
8. Time required for the completion of the construction of such work is two years.
9. Time required for the complete application of the water to the proposed use is two additional years.

Approval of State Engineer.

The number of this permit is 1664.

Date of first receipt of application 9 a. m. November 6, 1905.

Recorded in Book 5, page 1664. Approved November 11, 1905.

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 grant the same, subject to the following limitations and conditions:

Work to begin on or before January 10, 1906, 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 November 11, 1906.

The whole of said work to be completed on or before November 11, 1907.

The time for the proof of beneficial use of water appropriated in accordance herewith, to extend to November 11, 1909.

Witness my hand this 11 day of November, 1905.

Jas. Stephenson, Jr.

State Engineer.

Blank Notice of Proof of Completion of Works mailed applicant August 29, 1906.

Notice of proof of completion of works received September 12, 1906.

Notice for publication mailed Twin Falls News, Twin Falls, Idaho, and deposition blanks mailed John F. Hansen, Rock Creek, Idaho, before the proof is to be submitted.

Mr. J. E. Hays, Twin Falls, Idaho, authorized October 8, 1906, to make examination of works.

Report of J. E. Hays received October 29, 1906.

Fee of \$5.00 and depositions received November 13, 1906.

Affidavit of publication of notice received November 14, 1906.

Report of J. E. Hayes returned November 13, 1906 for correction.

Deposition of permit holder returned December 1, 1906 for correction.

Corrected deposition received December 8, 1906.

Corrected report received December 17, 1906.

Report and depositions show that works have been completed of a capacity to divert and convey to the place of intended use the amount of water for which application was made. Certificate of Completion of Works issued December 18, 1906.

Permit No. 1664

C E R T I F I C A T E _ O F _ C O M P L E T I O N _ O F _ W O R K S

To All Whom It May Concern:

This is to certify that DAN P. ALBEE of Rock Creek, County of Cassia, and State of Idaho, the holder of Permit No. 1664, issued upon Application No. 2300, bearing date of priority of November 6, 1905, authorizing the diversion of four-fifths of one second foot of the waters of Rock Creek, County of Cassia, 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 four-fifths of one second-foot of the waters of said stream; that the point of diversion of said waters is in the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 36, Tp. 11 South, R. 18 E. B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit; SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 25, Township 11 South, Range 18 East of Boise Meridian.

Witness my hand this eighteenth day of December, A. D. 1906.

License issued for 8/10 second feet

Jas Stephenson, Jr.

State Engineer of the State of Idaho.

47-2474

County: Twin Falls
Stream: Rock Creek
Amount: 2.2 second-feet
Use: Irrigation
Priority: 1/17/06

47-2474

STATE OF IDAHO

See Conveyances recorded
Under Permit No. 1806
Conveyed to Louis Harrell.

Water License No. 1806.

WHEREAS, On the 17th day of January, A. D. 1906,

CHAS. RORABACK,

of Rock Creek, County of Twin Falls, (formerly Cassia) State of Idaho, duly made application (No. 2471) to me for a permit to use 2.4 cubic feet per second of the waters of ROCK CREEK,

County of Twin Falls, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 10th day of February, A. D. 1906, Permit No. 1806 was issued to said applicant for the diversion of said water and providing for the completion of the works of diversion therein described on or before the 10th day of February, A. D. 1909, and for the application to beneficial use of said water on or before the 10th day of February, A. D. 1912, and,

WHEREAS, On the 10th day of February, A. D. 1909,

CHAS. RORABACK,

the holder of said permit, duly made proof of the completion of adequate works for the diversion of 2.4 cubic feet per second of said waters, as evidenced by my Certificate No. 1806 dated February 20th, 1909, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 2.4 cubic feet per second of water, with date of priority of January 17th, 1906, and

WHEREAS, On the 20th day of June, A. D. 1911, Chas. Roraback of Rock Creek transferred all his right, title and interest in and to said Permit \$1806 to Henry Jones of Rock Creek, and,

WHEREAS, On the 29th day of December, A. D. 1911,

HENRY JONES,

the holder of said permit, duly made proof of the application to beneficial use of 2.2 cubic feet per second of said water:

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

HENRY JONES,

of Rock Creek, County of Twin Falls, State of Idaho, the holder and owner of said Permit No. 1806, a perpetual right, dating from January 17th, 1906, to the use of 2.2 cubic feet per second of the waters of ROCK CREEK,

in the County of Twin Falls and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in the Northwest quarter of the Southwest quarter, (NW $\frac{1}{4}$ SW $\frac{1}{4}$), Section 1, Township 12 South, Range 18, East of the Boise Meridian,

and conducted to and upon 110 acres divided as follows: 19 acres in Lot #1, 19 acres in Lot #2, 35 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and 37 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 31, Township 11 South, Range 19, East of the Boise Meridian,

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

WITNESS, My hand and the seal of my office at Boise, Idaho, this 21st day of December, A. D., nineteen hundred and twelve.

(Seal)

A. E. Robinson.

State Engineer.

47-2474
45-2010

No. 2471.

A P P L I C A T I O N F O R P E R M I T

To Appropriate the Public Waters of the state of Idaho.

1. Name of applicant - CHAS. RORABACK

Postoffice address: P.O. - Rock Creek.

County - Cassia, Idaho.

2. The quantity of water claimed is an amount equivalent to a continuous flow of 2.4 cubic feet per second.

3. Source of water supply - Rock Creek.

County of Cassia. *Twin Falls*

4. Location of point of diversion Sec. 1, T. 12 S., R. 18 E., NW4 of SW4.

5. To be used for:

I. Irrigation and domestic use:

(a) Number of acres to be irrigated 120 acres.

(b) In the following legal subdivisions - E2 NW4 Lots 1 & 2 Sec. 31, T. 11 S., R. 19 E.

6. Estimated cost of works - \$300.00

7. Description of Works for Diversion:

I. Kinds of works - Dam.

II. Dimensions of Works:

(a) Height of dam 5 feet, length of dam at top 12 feet, length of dam at bottom 12 feet, material used in construction Wood & Stone.

(c) Size of headgate to dam, width 10 feet, height 3 feet.

(d) Ditch (flume or pipe) width at bottom 3 feet, width at water line 4 feet, depth of water 3 feet. Average grade per mile is about 8 feet. Length of ditch is $3\frac{1}{2}$ miles, and it crosses the following quarter sections - NW4 and NE4 Sec. 1, T. 12 S., R. 18 E., SE4 Sec. 36, T. 11 S., R. 18 E., and SW4 Sec. 31, T. 11 S., R. 19 E., to E2 NW4 lots 1 & 2 Sec. 31, which is the point of intended use.

8. Time required for the completion of the construction of such work is three years.

9. Time required for the complete application of the water to the proposed use is three additional years.

Approval of State Engineer.

The number of this permit is 1806.

Date of first receipt of application 9 a. m. January 17, 1906.

Returned to applicant for correction January 17, 1906.

Corrected application received February 6, 1906.

Recorded in Book 6, page 1806. Approved February 10, 1906.

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 grant the same, subject to the following limitations and conditions:

Work to begin on or before April 11, 1906, 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 August 10, 1907.

The whole of said work to be completed on or before February 10, 1909.

The time for the proof of beneficial use of water appropriated in accordance herewith, to extend to February 10, 1912.

Witness my hand this 10 day of February, 1906.

Jas. Stephenson, Jr.

State Engineer.

Blank notice for proof of completion of the works of diversion mailed applicant November 1, 1908. Notice received November 19, 1908, fixing February 10, 1909, as date and Rock Creek, Idaho, as place of proof.

Notice for publication mailed Twin Falls News January 4, 1909.

Charles F. Mull, authorized January 4, 1909, to make examination of works.

Deposition blanks mailed applicant January 4, 1909.

Report of engineer received February 9, 1909.

Depositions and fees received February 11, 1909. Also affidavit of publication.

Additional report received February 17, 1909.

Permit No. 1806.

CERTIFICATE OF COMPLETION OF WORKS.

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To All Whom it May Concern:

This is to certify that CHAS. RORABACK, of Rock Creek, County of Twin Falls, and State of Idaho, the holder of Permit No. 1806, issued upon Application No. 2471, bearing date of priority of January 17, 1906, authorizing the diversion of 2.4 second feet of the waters of Rock Creek, County of Twin Falls, 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 2.4 second feet of the waters of Rock Creek, that the point of Diversion of said waters is at a point in the north half of northeast quarter of section 1, township 12 south, range 18 east of the Boise meridian, and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 120 acres in the east half of northwest quarter, lots 1 and 2, section 31, township 11 south, range 19 east of the Boise meridian.

Witness my hand this 20th day of February A.D. 1909.

Jas. Stephenson, Jr.

State Engineer.

License issued for 2.4 second feet

9, 1275

For Value Received, I hereby sell and transfer to Henry Jones of Rock Creek, Twin Falls County, State of Idaho, all my right, title and interest in and to Water Permit No. 1806, issued by the State Engineer of the State of Idaho, and dated January 17th, 1906, authorizing me to divert from the waters of Rock Creek, 2.4 cubic feet per second, to be used upon the East half of the Northwest quarter (E2 NW4) and Lots 1 and 2 of Section 31 Township 11 South Range 19 East, Boise Meridian, containing 120 acres, more or less, and also my right, title and interest in and to the works of diversion for said water right, as evidenced by State Engineer's Certificate, bearing date February 20th, 1909.

In witness whereof I have hereunto set me hand this...day of June, 1911.

X Chas. Roraback.

State of Idaho,)
) ss
County of Lincoln.)

On this 20 day of June, 1911, before me F. W. Ruzicka, a Notary Public in and for said County, personally appeared Charles Roraback, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

In Testimony Whereof I have hereunto set my hand and Notarial seal the day and year in this Certificate above written.

F. W. Ruzicka
Notary Public.

(SEAL)

My Commission expires Aug. 2, 1913.

Received and filed for record in the office of the State Engineer at Boise, Idaho, at 9.00 a.m. November 8, 1911.

A. E. Robinson,
State Engineer

For value received I hereby assign all my right, title and interest in and to water license No. 1806, herein described.

Witness A. F. Craven

Signed Henry Jones

Sworn to and subscribed to before me this 26th day of July 1913.

(SEAL)

W. Homer Craven
Notary Public
My Co.m Expires June 25, 1914.

Received and filed for record in the Department of Reclamation at Boise, Idaho, at 9.00 A.M., Feb. 28, 1931.

GEO. N. CARTER
Commissioner of Reclamation.
C.B.

TO HAVE AND TO HOLD, All and singular, the above mentioned and described premises, together with the appurtenances, unto the party of the second part, and to his heirs and assigns forever. And the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns, against the said parties of the first part, and their heirs and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in
the Presence of

Mrs. E. N. McIntire
Henry Hansen

Henry Jones (SEAL)
Wilmoth Jones (SEAL)

STATE OF IDAHO)
) ss.
County of Twin Falls)

On the Twelfth day of March, 1910, before me, Henry Hansen, a Notary Public in and for said County, personally appeared Henry Jones and Wilmoth Jones, his wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(SEAL)

Henry Hansen
Notary Public

Received and filed for record in the Department of Reclamation at Boise, Idaho, at 9.00 A. M., Feb. 28, 1931.

Geo. N. Carter
Commissioner of Reclamation.
C.B.