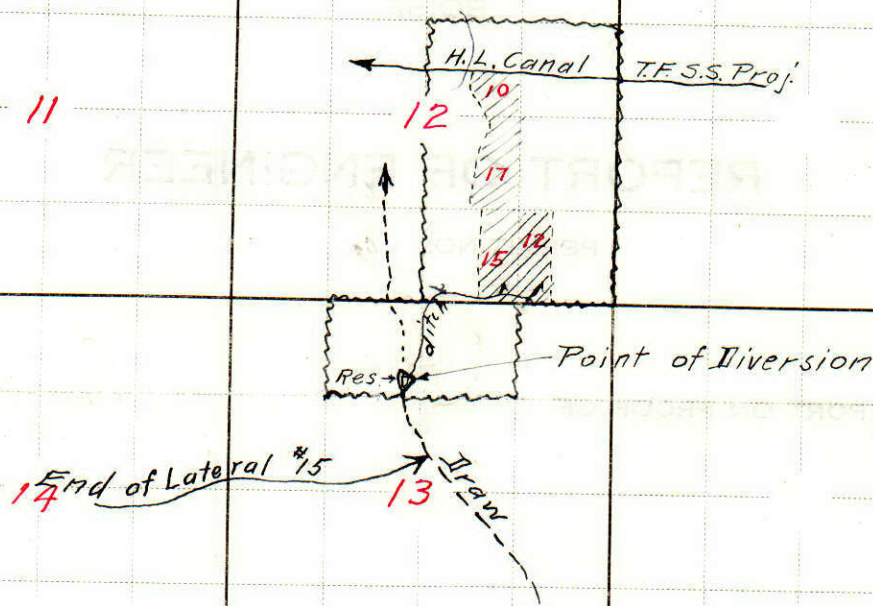




**NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE**

Notice is hereby given that at 10 A. M. on the 6th day of December, 1929, at Twin Falls, County of Twin Falls, State of Idaho, before S. T. Hamilton, a notary public, proof will be submitted of the application to beneficial use of 6.4 cubic feet per second of the waters of an unnamed stream, in accordance with the terms and conditions of Permit No. 16792 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person holding said permit is Elbert L. Rayborn, Twin Falls, Idaho.

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

The amount applied to beneficial use is 6.4 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) SE 1/4 and S 1/2 - NE 1/4 of Sec. 12; NW 1/4 NE 1/4 and NE 1/4 NW 1/4 of Sec. 13, Township 11 S., R. 16 E., B. M.

The right to take water from such works is based upon Permit No. 16792.

The source of supply from which such water is diverted is an unnamed stream.

The date of the priority which said user is prepared to establish is December 2, 1927.

GEO. N. CARTER,
Commissioner of Reclamation.
629 n5, 12, 19

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Twin Falls, } ss.

I, Juneau H. Shinn,

being first duly sworn upon oath depose and say that I am

Principal Clerk of THE IDAHO CITIZEN, published weekly, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice or advertisement, as per clipping attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof,

for four consecutive weeks, commencing with the

issue dated October 29, 1929 and ending with

the issue dated November 19, 1929

Subscribed and sworn to before me this 22nd

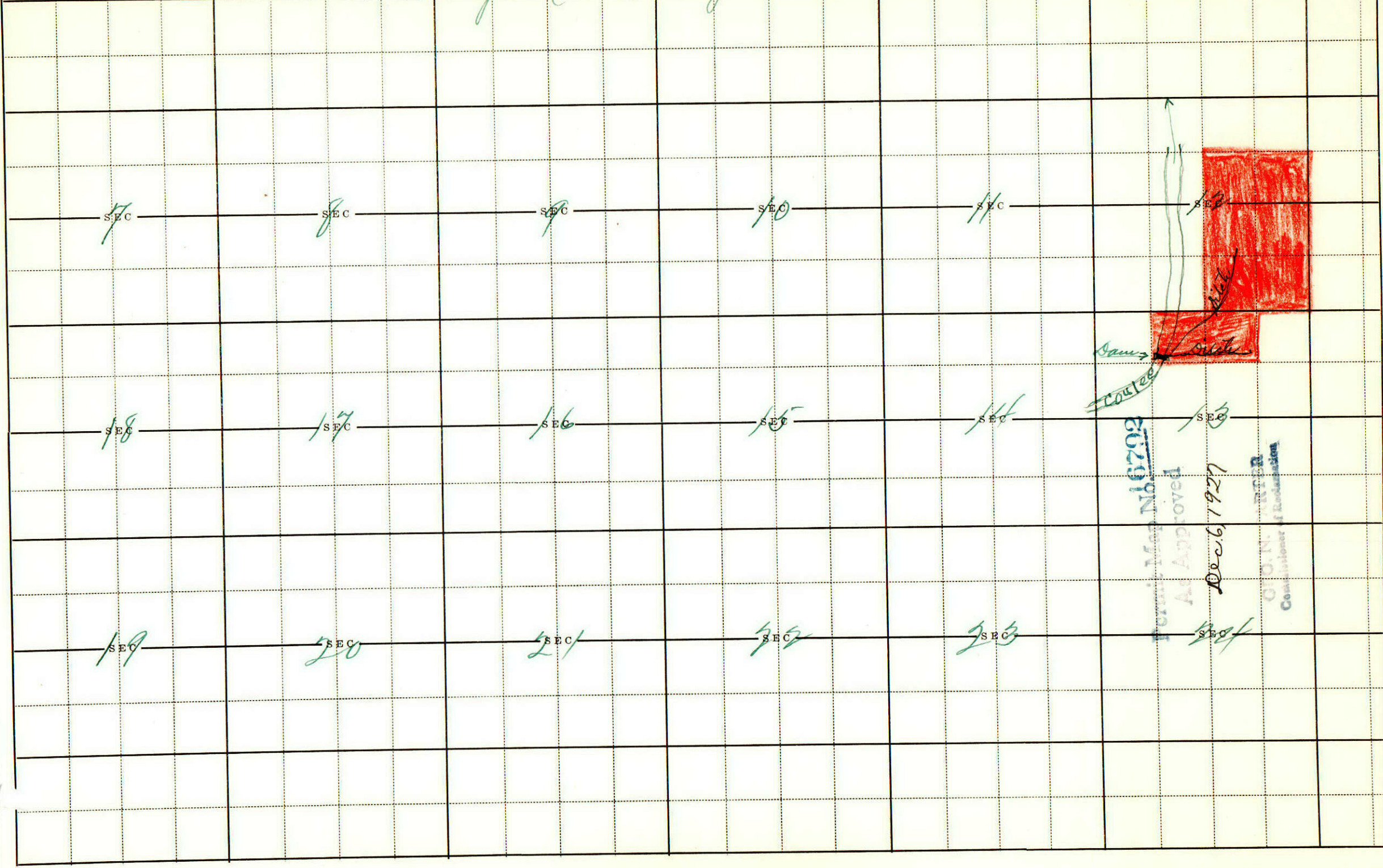
day of November, 1929

J. E. Roberts
Notary Public in and for the County of Twin Falls, State of Idaho, residing at Twin Falls, Idaho

16 792

NAME OF APPLICANT

Twp 11 South, Range 16 E 3M.



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

16792

RECEIVED
DEC 2 1927
DEPARTMENT OF RECLAMATION

State of Idaho

License and Certificate of Water Right

Water License No. 16792

Amount 1.08 sec.ft.

Water District No.

Priority 12-2-1927

THIS IS TO CERTIFY that Elbert L. Rayborn, of Twin Falls, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated December 2, 1927; that Permit No. 16792 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 6.4 second feet, was issued thereunder on October 2, 1930, showing that said works were completed on the 6th day of December, 1929; and that on the 6th day of December, 1929,

Elbert L. Rayborn,

of Twin Falls, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of an unnamed stream, a tributary of no stream, for the purpose of irrigation and domestic use, under Use Permit No. 16792 of the Commissioner 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 Commissioner of Reclamation of Idaho and entered of record in Volume 7 of Licenses, at page 3630, on the 2nd day of October, 1930;

The right hereby confirmed dates from December 2, 1927;

The Point of Diversion is located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 13, Tp. 11 S., R. 16 E., B.M. Twin Falls 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 1.08 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
11 S	16 E	12	SW $\frac{1}{4}$ NE $\frac{1}{4}$	40	10
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	17
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	15
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	12
					Total 54 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 2nd day of October, 1930.

Commissioner of Reclamation

(SEAL)

47 2176

Corrected license p. 5571 - Vol. 9 -

State of Idaho

License and Certificate of Water Right

Water License No. 14596

Amount 3.5 sec. ft.

Water District No.

Priority 3-10-20

THIS IS TO CERTIFY that OREGON SHORT LINE RAILROAD COMPANY, of Salt Lake City, Utah, made application for a permit to appropriate the public waters of the State of Idaho, dated March 10, 1920; that Permit No. 14596 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 3.5 second feet, was issued thereunder on February 16, 1925, showing that said works were completed on the 2nd day of February, 1925; and that on the 27th day of August, 1930,

OREGON SHORT LINE RAILROAD COMPANY, of Salt Lake City, State of Utah, made proof to the satisfaction of the Commissioner of Reclamation of Idaho of the right to use the waters of Batise Springs, a tributary of Snake River, for the purpose of Railroad water supply, under Use Permit No. 14596 of the Commissioner 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 Commissioner of Reclamation of Idaho and entered of record in Volume 7 of Licenses, at page 3629, on the 15th day of September, 1930;

The right hereby confirmed dates from March 10, 1920;

The Point of Diversion is located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 6, Tp. 6 S., R. 34 E., B. M. Power County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 3.5 cubic feet per second.

Description and location of use: General railroad purposes at Pocatello, Idaho.

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. 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 Commissioner of Reclamation, affixed at Boise, Idaho, this 15th day of September, 1930.

GEO. N. CARTER
Commissioner of Reclamation

(SEAL)

APPLICATION FOR PERMIT **47-2176** TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 23729
Permit No. 16792
District No.

1. Name of Applicant: **Elbert L. Rayborn,**
 Postoffice address: **Twin Falls,** County: **Twin Falls,** 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: **6.4** cubic feet per second.
3. Source of water supply: **unnamed stream,** which is a tributary of **no stream or public water-way.**
4. Location of point of diversion: feet distant from the
 corner of Section , T. , R. , B. M., and is in the **NE $\frac{1}{4}$** of **NW $\frac{1}{4}$**
 of Section **13** , T. **11 S.** , R. **16 E.** , B. M., County of **Twin Falls.**
5. Water is to be used for: **irrigation and domestic uses.**
6. If for mining, milling, power or manufacturing purposes, give:
 - (a) Point of use of water: feet distant from corner of Section
 T. , R. , B. M., in the of Section , T. , R. , B. M.
 - (b) Amount of power generated: H. P., under feet head.
 - (c) Water is to be returned to at a point feet
 distant from the corner of Section , T. , R. , B. M., in the
 of Section , T. , R. , B. M.
7. Estimated cost of works: **\$250.00.**
8. Kind of works: **Rock and earth dam and ditch.**
9. Height of dam **3** feet; length of dam at top **20** feet; length of dam at bottom **10**
 feet; material used in dam: **Rock and earth, lumber spillway.**
10. Size of headgate: Width feet; height feet.
11. Ditch: Width at bottom **3** feet; width at water line **4 $\frac{1}{2}$** feet; depth of water **2**
 feet; dimensions of flume
 Diameter of pipe inches; length of conduit miles.
 Average grade per mile feet.
12. The time required for the completion of such work is **two** years.
13. The time required for the complete application of the water to the proposed use is **three** additional years.
14. The land to be irrigated is described in the following tabulation: See remarks.

15. (a) Is reservoir to be used? No. 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 waters of the State of Idaho as herein set forth.

Elbert L. Rayborn,

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 9 A. M., December 2, 1927.

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 16792.

Recorded in Book 60; Page 16792. Approved December 6, 1927.

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 February 4, 1928

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

December 6, 1928.

The whole of said work to be completed on or before

December 6, 1929.

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

December 6, 1932.

Witness my hand this 6th day of December, 1927.

GEO. N. CARTER.

Commissioner of Reclamation.

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	
11 S.	16 E.	12			40	40									40	40	40	40	240
		13		40			40												80
Total Number of Acres to be Irrigated,																			320

Permit No. 16792
CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:

This is to certify that Elbert L. Rayborn, of Twin Falls, County of Twin Falls and State of Idaho, the holder of Permit No. 16792, issued upon Application No. 23729, bearing date of priority of December 2, 1927, authorizing the diversion of 6.4 second feet of the waters of an unnamed stream, 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 6.4 second feet of the waters of said unnamed stream; that the point of diversion of said waters is in the NE¼NW¼ of Sec. 13, Twp. 11 S., Range 16 E., B.M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: S½NE¼ and the SE¼ of Sec. 12; NW¼NE¼ and NE¼NW¼ of Sec. 13, Twp. 11 S., Range 16 E., B.M.

Witness my hand this 2nd day of October, A. D. 1930.

GEO. N. CARTER
Commissioner of Reclamation.

LICENCE ISSUED FOR 1.08 SEC. 11
Page 3630

September 23, 1950.

Re: P ermit No. 16792.

Mr. E. L. Rayborn
Twin Falls, Idaho

Dear Sir:-

The report of our examining engineer on beneficial use of water under your above permit has just been filed here. This report shows parts of four legal subdivisions in Sec. 12 under irrigation. The fees will, therefore amount to \$8.00 for this proof, which, with the statutory fee of \$5.00 for proof of completion of works, makes a total of \$13.00, fees due before issuing the certificate of completion of works and water license.

Very truly yours,
GEO. M. CARTER
Commissioner of Reclamation.

By _____
Chief Clerk.

16792

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

Permit No. 16792This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant: Elbert L. Rayborn
2. Source of water supply: Unnamed Stream
3. Location of point of diversion: Is in the NE¹/₄ of Section 13
T. 11 S R. 16 E., B.M. County of Twin Falls

4. Describe works as they exist, giving dimensions and capacities of same: Earth dam in
ditch. Dam 300 long x 10' high. 12" concrete outlet pipe
discharges to ditch 2 ft in width and 1 ft deep.

5. Water is used for: Irrigation
6. State whether or not water has been turned into works of diversion: yes

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 for other than irrigation): SE¹/₄ and S¹/₂ of Sec. 12; NW¹/₄ and NE¹/₄ of Sec. 13, T. 11 S.,
R. 16 E., 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? none

Remarks: This filing covers principally waste water
from Lateral 15 of the Twin Falls Salmon system.
The water involved would, unless used as above
merely accumulate against the upper embankment
of the Twin Falls So. Side High line Canal

This examination was made on the 19th day of June, 1930

16792

(Signed)

Ed H. Solman

Examiner.

E. L. Rayborn
Twin Falls

66

Permit No. 16792

Examination for BEN. USE

County TWIN FALLS

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 a 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.
-

October 3, 1980

Re: Permit No. 16792.

Elbert L. Rayborn
Twin Falls, Idaho

Dear Sir:-

Enclosed you will find certificate of completion of works and license issued under your above permit, with receipt for fees paid.

Very truly yours,
GEO. E. CARTER
Commissioner of Reclamation.

encl.

BY _____
Chief Clerk.

16 792

December 16, 1929

RE: Permit No. 16792 - Rayborn

Mr. S. T. Hamilton
Attorney at Law
Twin Falls, Idaho

Dear Sir:

We are today in receipt of your letter enclosing affidavit of holder for proof of completion of works, together with depositions for holder and two witnesses and the affidavit of publication for proof of beneficial use of water under the above numbered permit, also check for fees in the sum of \$21.00.

In checking the affidavit and depositions we find that no land is described in Section 13, although the check for fees has been made to include the two forties in this section.

The check is herewith returned to you for the reason that the report of our examining engineer on the proof of beneficial use has not yet been made and this examination will not now be made before next season. If the holder will return his check in the sum of \$5.00, being the fee required for proof of completion of works, the certificate of completion can be issued at this time and he will be further advised as to fees of beneficial use proof when the report has been filed.

You will also please advise us as to whether or not the holder desires to include the lands in section 13 in his proof.

Very truly yours,

GEO. M. CARTER
Commissioner of Reclamation

By _____
Chief Clerk

CB:G

Enc. Check \$21.00

16792

LAW OFFICES OF
S. T. HAMILTON
TWIN FALLS, IDAHO

December 12, 1929.

Mr. George N. Carter,
Commissioner of Reclamation,
Boise, Idaho.

Dear Sir:

I inclose herewith:

Affidavit of Publication.
Proof of Completion of Works.
Deposition of Holder.
Deposition of Two Witnesses.

These are under Permit Number 16792, Elbert
L. Rayborn.

Mr. Rayborn's check in the sum of Twenty-
one (21) Dollars is herewith in payment of the
fees as follows:

Proof of Completion of Works	\$5.00
\$2.00 per division for the	
eight sub-divisions of land	<u>13.00</u>
Total	\$21.00

Very truly yours,


S. T. Hamilton.

sth/nm
encl-6

16792

Permit No. ~~XXXXXX~~
16792

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO,
County of Twin Falls } ss

Elbert L. Rayborn, 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. 16792, and that his postoffice address is Twin Falls State of Idaho

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

Third: That the point of diversion of said water is NE¹/₄ of NW¹/₄ of Section 13, Township 11 South, Range 16 E. B. M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by December 6, 1929.

Fifth: That the use for which said water is intended is irrigation and domestic use

Sixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:

I. Kind of works: Dam, ditches, flume, pipe and otherwise.
(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:

(a) Height of dam 7 ft 5 in, length of dam at top 350 feet, length of dam at bottom 330 feet. Material used in construction Rock, earth and concrete

(State whether wood, earth, stone or concrete.)

(b) Capacity of reservoir acre feet.

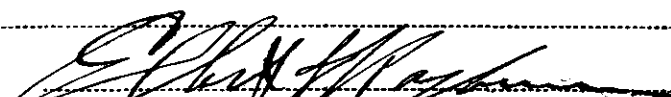
(c) Size of headgate: Width two feet, height two feet.

(d) Conduit ditch width at bottom two feet, width at water line three feet, depth of water one foot; diameter of pipe inches, average grade per mile is feet Length of conduit is miles.

Seventh: That said works are capable of conducting to the place of intended use 6.4 second feet of water.

Eighth: That water appropriated under said permit is available for 320 acres of land described as follows: Southeast quarter (SE¹/₄) and South half of Northeast quarter (S¹/₂ of NE¹/₄), Section twelve (12), Township eleven (11) South, Range sixteen (16) E. B. M.

Ninth: Remarks: That the water is drawn from the point of diversion through a one foot pipe under pressure, said pipe being set in the head gate.


(Sign here)

Subscribed and sworn to before me this sixth day of December, 1929

My commission expires

Notary Public.
for Idaho;
Residing at Twin Falls.

16792

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

PERMIT NO. 16792

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Elbert L. Rayborn: thirty-four: Twin Falls, Idaho:

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

Ans. _____

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

Ans. Permit No. 16792.

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

Ans. An unnamed stream. NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 13, Township 11
South, Range 16 E. B. M.

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

Ans. Dam heighth, 7 feet, 5 inches. Top, 350 feet, Bottom, 330 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 purposes. Southeast quarter (SE $\frac{1}{4}$) and South
half of Northeast quarter (S $\frac{1}{2}$ of NE $\frac{1}{4}$), Section twelve (12), Township
eleven (11) South, Range sixteen (16) E. B. M. On all of the above
described land. Cultivated lands. Increase of crop yield.

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

Ans. _____

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

Ans. One miner's inch per acre.

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. Permit was issued to me.

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

Ans. In 1928 and 1929. Diverted at dam and carried through ditches and laterals upon the lands described in permit. Diverted and used the full appropriation when in the stream. Used the entire flow.

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. None. There are no other rights.

(Sign)

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 the, County of Twin Falls State of Idaho, on this _____ day of December A. D. 1929.

[Signature]
Notary Public residing at Twin Falls, Idaho.

My commission expires _____

DEC 16 1929

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

PERMIT NO. 16792

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. Henry Rayborn, Thirty-five years of age. Residence: Twin Falls, Idaho. Occupation: farming. Postoffice address: Twin Falls, Idaho.

Ques. 2. Are you acquainted with Elbert L. Rayborn, the holder of Permit No. 16792? How long have you known him and where does he reside?

Ans. Yes. I have known him for thirty years. His residence is Twin Falls, Idaho.

Ques. 3. Have you read or heard read said Permit No. 16792, 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. An unnamed stream. Place of diversion: NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 13, Township 11 South, Range 16 E. B. M. Dam height, 7 ft. 5 in. Top, 350 ft. Bottom, 330 ft. Ditches and laterals from dam to place of use.

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. 6.4 feet, full amount of the permit.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division 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 irrigation purposes. Southeast quarter (SE $\frac{1}{4}$) and South half of Northeast quarter (S $\frac{1}{2}$ of NE $\frac{1}{4}$), Section twelve (12), Township eleven (11) South, Range sixteen (16) E. B. M. On all of the above described land. Cultivated lands. Result of use of water was greater crop yield.

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

Ans. _____

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

Ans. Lava ash soil. One 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. No.

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.

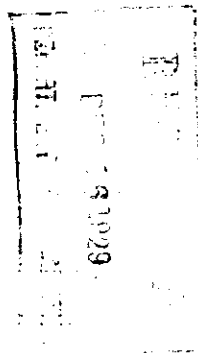
Ans. Have seen water being applied to land above described at different points; all of the water from said stream being then and there used. Was seen during the years 1928 and 1929.

(Signed) Henry Raybon

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 _____ the _____, County of Twin Falls, State of Idaho, on this 6th day of December, A. D. 1929.

My commission expires _____

[Signature]
Notary Public:
for Idaho,
Residing at Twin Falls.



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

PERMIT NO. _____

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. W. Taylor, 50 yrs, Twin Falls, Ida, Lawyer, 661 2nd Ave N., Twin Falls, Idaho.

Ques. 2. Are you acquainted with Elbert L. Raybourn, the holder of Permit No. 16792? How long have you known him and where does he reside?

Ans. Yes, 3 years, Twin Falls, Ida.

Ques. 3. Have you read or heard read said Permit No. 16792, 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. Unnamed stream, Place of diversion is NE 1/4 NW 1/4 Sec. 13, Twp 11 S., R 16 E B.M. Height of dam 7 ft, 5 in. Length of dam 350 ft top; Bottom, same. Ditches & laterals from dam to place of use.

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. 6 1/2 feet is amt of permit.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division 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 & domestic use on SE 1/4 SW 1/4 Half of NE 1/4, Sec. 12, Twp 11 S., Range 16 E B.M.

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

Ans. _____

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

Ans. Lava ash soil, One ft 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. Have seen water being applied to land above described at several places, in 1928 & 1929. All of said water was being so used

(Signed) [Signature]

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 Twin Falls, County of Twin Falls, State of Idaho, on this 6th day of December, A. D. 1929.

[Signature]
Notary Public:

My commission expires _____

Notary Public residing at Twin Falls, Idaho.

RECEIVED
DEC 16 1929

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, **November 22, 1929**

Elbert L. Rayborn

c/o S. T. Hamilton

Attorney at law

DEAR SIR: **Twin Falls, Idaho**

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

16792

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 **December 6, 1929**, 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

Twin Falls before **S. T. Hamilton, 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,

.....
Commissioner of Reclamation.

16792

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date October 25, 1929

PUBLISHER, THE IDAHO CITIZEN

Twin Falls, Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to December 6, 1929, the date set for proof, the expense of the publication to be paid by the applicant, Elbert L. Rayborn, of Twin Falls, 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,

Geo. N. CARTER

Commissioner of Reclamation.

16792

12

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 6:4 a. m. on the 1st day of August, 1927,
at Twin Falls, County of Twin Falls, State of Idaho,
before S. T. Hamilton a Notary Public, proof will be submitted
of the application to beneficial use of 6.4 cubic feet per second of the
waters of an unnamed stream in accordance with the terms and conditions of
Permit No. 16797 heretofore issued by the Commissioner of Reclamation
of the State of Idaho.

The name and postoffice address of the person ~~or corporation~~ holding said permit is and

Elbert L. Rayborn

The use to which said water has been applied is Irrigation and Domestic

The amount applied to beneficial use is 6.4 cubic feet per second

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) Southeast Quarter (SE⁴) and South half of Northeast Quarter (SE⁴) Section Twelve (12), and North half of North-east Quarter (NE⁴) of Section Thirteen (13), all in Township Eleven (11) South, of Range Sixteen (16) E. 13 M.

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

The right to take water from such works is based upon Permit No. 16797

The source of supply from which such water is diverted is an unnamed

Stream

The date of the priority which said user is prepared to establish is December 6th, 2nd

1927

Commissioner of Reclamation.

16792

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) October 10, 1929
(P. O.) Twin Falls, Idaho,

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Idaho Citizen of Twin Falls, Idaho, 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.

16792

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 a. m. on the 6th day of December, 1929,
at Twin Falls, County of Twin Falls, State of Idaho,
before S. T. Hamilton, a notary public, proof will be submitted
of the application to beneficial use of 6.4 cubic feet per second of the
waters of an unnamed stream, in accordance with the terms and conditions of
Permit No. 16792 heretofore issued by the Commissioner of Reclamation
of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are
Elbert L. Rayborn, Twin Falls, Idaho.

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

The amount applied to beneficial use is 6.4 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) SE 1/4 and SW 1/4 of Sec. 12; NW 1/4 and NE 1/4 of Sec. 13,
Two. 11 S., R. 16 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 _____

The right to take water from such works is based upon Permit No. 16792

The source of supply from which such water is diverted is an unnamed stream

The date of the priority which said user is prepared to establish is Dec. 2, 1927

Geo. N. Carter,
Commissioner of Reclamation.

16792

16792-12
11/1/29
T.F.

August 16, 1928.

Re: Permit No. 16792-Elbert L. Rayborn.

MR. S. T. HAMILTON
Attorney at law
Twin Falls, Idaho

Dear Sir:-

For your request the 14th inst., we are mailing you herewith affidavit form for proof of completion of works under the above permit, together with blank notices for proof of beneficial use of water.

Very truly yours,
GEO. N. CANTER
Commissioner of Reclamation.

By _____
Chief Clerk.

16792

LAW OFFICE OF
S. T. HAMILTON
TWIN FALLS, IDAHO

August 14, 1929.

Honorable George N. Carter,
Comm'r of Reclamation,
Boise, Idaho.

Re: Permit 16792 Elbert L. Rayborn.

Dear Mr. Carter:

The above named applicant desires to make final proof upon this water right, both as to completion of works and beneficial use of the water. He requests that proof be made before me.

Please send the proper blanks for this application and notice will be published at once.

Very truly yours,


S. T. Hamilton.

STH NM

16 792

F 5-6
2 FID 10

State of Idaho

DEPARTMENT OF RECLAMATION BOISE

Permit No. 16792

Mr. S. T. Hamilton,
Twin Falls, Idaho.
Dear Sir:

Boise, Idaho, December 6, 1927.

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

GEO. N. CARTER.

Commissioner of Reclamation.

16792

LAW OFFICES OF
S. T. HAMILTON
TWIN FALLS, IDAHO

December 1, 1927.

Hon. George W. Carter,
Comm'r of Reclamation,
Boise, Idaho.

Dear Mr Carter:-

Herewith application of Elbert L. Rayborn for permit to appropriate public waters. The diversion asked is beyond any irrigated area and cannot interfere with anyone. At times the stream flows a large amount of water and sometimes none. Mr Rayborn is a disabled soldier and is here under his doctor's advice to regain his health.

While the diversion is on his own land, the ditches will have to be built to distribute the water to the several parts of the land; and this will require considerable expense and work. In his condition time will be required to clear the land and put the water to beneficial use; consequently he has asked for more time than ordinarily would be required.

Very truly yours,

Enclosed for Mr. Carter

S. T. Hamilton

16792

16792

RECEIVED

DEC 2 1927

DEPT. OF INFORMATION