

State of Idaho
License and Certificate of Water Right

Water License No. 25977 Amount .011 c.f.s.
Water District No. Priority July 1, 1955

THIS IS TO CERTIFY that STATE OF IDAHO, DEPARTMENT OF HIGHWAYS
of Boise, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated June 4, 19 55 ; that Permit No. 25977
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
.011 second feet, was issued thereunder on September 23, 19 57, showing that said works
were completed on the 16th day of September, 19 57 ; and that on the 18th
day of October, 19 57, STATE OF IDAHO, DEPARTMENT OF HIGHWAYS
By: G. Bryce Bennett, State Highway Engr.

of Boise, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Bitter Root
Spring, a tributary of, for the purpose of PUBLIC USE
, under Use Permit No. 25977 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
11 of Licenses at page 6508, on the 13th day of November, 19 58 ;
The right hereby confirmed dates from July 1, 1955 ;

The Point of Diversion is located
in the NE 1/4 NW 1/4, Sec. 5, Tp. 47 N., R. 6 E., B. M. County Shoshone
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 .011 cubic feet per second.

Description and location of use: PUBLIC USE

Twp.	Range	Sec.	Forty-acre Tract	XXXXXX No. Acres XXXXXXXX Described in Permit XXXXXXXX	XXXXXX No. Acres XXXXXXXX Actually Irrigated XXXXX
48 N.	6 E.	32	SE 1/4 SW 1/4		

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
13th day of November, 19 58 .

/s/ Geo. N. Carter
State Reclamation Engineer.

(SEAL)

State of Idaho
License and Certificate of Water Right

Water License No. 25660 Amount .0248 c.f.s.
Water District No. Priority January 7, 1955

THIS IS TO CERTIFY that UNITED STATES OF AMERICA, FOREST SERVICE
of Ogden, Utah, made application for a permit to appropriate the
public waters of the State of Idaho, dated January 7, 19 55 ; that Permit No. 25660
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
.0248 second feet, was issued thereunder on June 25, 1957, showing that said works
were completed on the 12th day of April, 19 57 ; and that on the 16th
day of September, 19 57, UNITED STATES OF AMERICA, FOREST SERVICE
By: B. Russell Lyon, Act. Reg. Forester
of Ogden, State of Utah, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Three Springs
, a tributary of Elk Creek, for the purpose of DOMESTIC USE
, under Use Permit No. 25660 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
11 of Licenses at page 6507, on the 13th day of November, 19 58 ;
The right hereby confirmed dates from January 7, 1955 ;
The Point of Diversion is located in LOT 4
in the 1/4 1/4, Sec. 18, Tp. 1 S., R. 46 E., B. M. County Bonneville
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 .0248 cubic feet per second.

Description and location of use: DOMESTIC USE

Twp.	Range	Sec.	Forty-acre Tract	XXXXXX No. Acres XXXXXX No. Acres XXXXXX	XXXXXX No. Acres XXXXXX No. Acres XXXXXX
1 S.	46 E.	19	NW 1/4 NW 1/4	XXXXXX No. Acres XXXXXX No. Acres XXXXXX	XXXXXX No. Acres XXXXXX No. Acres XXXXXX

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.
WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
13th day of November, 19 58 .
/s/ Geo. N. Carter
State Reclamation Engineer.
(SEAL)

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

94-2211

APPLICATION No. 33618
 PERMIT No. 25977
 DISTRICT No.

1. Name of Applicant: STATE OF IDAHO, DEPARTMENT OF HIGHWAYS

Postoffice address: Box 879, Boise,

County: Ada

State: Idaho

I. If applicant is a corporation, give:

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

II. The financial resources of the applicant are:

- (b) Treasury stock:
- (d) Other resources:

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: 5 G.P.M. or .011

cubic feet per second.

3. Source of water supply: Bitter Root Spring

which is a tributary of

4. Location of point of diversion: 2030

feet distant from the N.E.

corner of Section 32, T. 48 N, R. 6 E, B.M., and is in the NE $\frac{1}{4}$ of NW $\frac{1}{4}$

of Section 32, T. 48 N, R. 6 E, B.M., County of Shoshone

5. Water is to be used for Public Use

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: \$ 500.00

8. Kind of works: Rubble Masonry Fountain $\frac{1}{2}$ " Pipe carrying water

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

feet; material used in dam:

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

11. Ditch: Width at bottom 2' feet; width at water line 2' 6" feet; depth of water 4" feet;

dimensions of flume:

Diameter of pipe $\frac{1}{2}$ inches; length of conduit .015 miles.

Average grade per mile 1,500 feet.

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

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

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

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:

16. (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 water of the State of Idaho as herein set forth.

DEPARTMENT OF HIGHWAYS

Applicant.

By E. V. MILLER,
E. V. Miller, State Highway Engineer

Date of first receipt at Department of Reclamation: 11:40 A.M. June 17, 1955

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 25977

Recorded in Book 91 Page 25977 Approved Oct. 4, 1955

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

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

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

The whole of said work to be completed on or before October 4, 1957

Beneficial use of water appropriated in accordance herewith, to be made on or before October 4, 1957

WITNESS My hand this 4th day of October, 1955

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, ROBERT E. SMYLIE, Governor of the State of Idaho,

and IRA H. MASTERS, Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 4th

day of October, 19 55

STATE OF IDAHO

Countersigned:

(SEAL)

By ROBERT E. SMYLLIE Governor.

By IRA H. MASTERS
By PAULA L. FLEENOR *Secretary of State.*
Deputy Secretary of State

REMARKS: Ownership of land: State of Idaho, Dept. of Highways

14.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
			Permit No. <u>25977</u> Certificate of Completion of Works TO ALL WHOM IT MAY CONCERN: This is to certify that STATE OF IDAHO, DEPARTMENT OF HIGHWAYS of Boise, County of Ada, and State of Idaho, the holder of Permit No. 25977, issued upon Application No. 33618 bearing date of priority of June 17, 1955, authorizing the diversion of .011 second feet of the waters of Bitter Root Spring County of Shoshone, State of Idaho, for Public Use 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 .011 second feet of the waters of Bitter Root Spring that the point of diversion of said waters NE$\frac{1}{4}$ NW$\frac{1}{4}$ Section 32, Township 48 North, Range 6 East, B.M. and that the use of said water is described as follows, to-wit: PUBLIC USE Proof of Completion of Works made: September 16, 1957 . Witness my hand this 23rd day of September, A.D. 1957 /s/ Mark R. Kulp State Reclamation Engineer Proof of Completion of Works made: September 16, 1957 Certificate of Completion of Works issued: September 23, 1957.																

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. 25977

Comes now State of Idaho Dept. of Highways, by N. L. McCrea, and represents to the State Reclamation Engineer of the State of Idaho: That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 25977. That the point of diversion is described in said permit as being located NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 32 Twp. 48.N. 6 E. That he now requests that the point of diversion be changed to a point located 340 feet West of the N. quarter corner of Section 5, Twp. 47.N. Range 6. E. and in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 5,. That his reasons for desiring to make such change are as follows: Error in original application. That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at Boise Idaho, this 18 day of October, 1957

Dept. of Highways
By: N. L. McCrea

Date of receipt at Department of Reclamation
October 18, 1957

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 25977. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

/s/ Mark R. Kulp
State Reclamation Engineer

Recorded: October 18, 1957

Application for Amendment
To Permit to appropriate the Public Waters
of the State of Idaho, No. 25977

Comes now State of Idaho Dept. of Highways, By N. L. McCrea, and represents to the State Reclamation Engineer of the State of Idaho. That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 25977, and requests that the place of use as described in said permit, be changed to read as follows: 350 feet West of the North quarter corner of Section 5, Twp. 47 N. Range 6.E. and in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 32, Twp 48.N. Range 6.E., making a total of acres. That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Boise, Idaho, this 18 day of October, 1957

State of Idaho Dept. of Highways
By: N. L. McCrea

Date of receipt at office of Department of Reclamation
October 18, 1957

APPROVAL OF STATE RECLAMATION ENGINEER

I, MARK R. KULP, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 25977. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

/s/ Mark R. Kulp
State Reclamation Engineer

Recorded: October 18, 1957

LUTHER L. LARSEN, JR. 10/18/57
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STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 25977

REPORT ON PROOF OF Beneficial Use

State Department of Highways, G. Bryce Bennett, Engineer
P. O. Box 879, Boise, Idaho

Statham

Norm McCreary

R-6E.

32

T. 48 N.-

T. 47 N.

TO HOLLAN

P.D.

U.S. HWY. No. 10

1.85 Miles by road to →
Montana State Line.

P.D.

Located at Mile Post 74.2 on Highway 10.

5

use = drinking water by roadside
Q = .011 cfs amt of filing

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

Permit No. 25977

This proof is for Beneficial Use In Water District No. _____1. Name of applicant State Dep't of Highways, G. Bryce Bennett, Engineer2. Source of water supply: Bitter Root Spring3. Location of point of diversion: Is in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 5T. 47 N R. 6 E. B. M. County of Shoshone pws

4. Describe works as they exist, giving dimensions and capacities of same: P.D. is approx. 60 feet above the road. There is a dam of logs and rocks with 2" pipe line extending into pool. At outlet there is a masonry rock bowl about 5' d. x 2' high. T. made of pipes extends up for drinking fountain.

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

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

SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 32., Twp 48 N., Rge. 6 E., B. M.

There is a wide parking place on the Highway about 50' deep made on about 150' radius. This is a drinking fountain for public use.

filed 6/7/55

Due 10/4/57

C/W 9/16/57

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

8. What large stream would the water here appropriated finally reach? _____

Remarks: _____

There was no means of determining with absolute accuracy regarding the location of the P.D. According to the highway map it appears to be correct.

This examination was made on the 17 day of Sept, 1958(Signed) E. H. Humphrey Examiner.

25977

Permit No. 25977

Examination for Beneficial Use

County Shoshone

5-47N.-6E.

Q2 0.011 c.t.s.

Q2 Bitter Root Spring

340' N. of N. 1/4 corner Sec. 5, in

P.L. - NE. NW., Sec. 5, T. 47N. - R. 6E.

3/4 sec. 76

1/4 mile post upon Mont. line

96.80

1.85 mi. below State line

94.95

1.85 mi. = Public use

Wide parking place by road so people can stop

50' wide x 150' radius

Filed - June 17, 1955

Done - Oct. 4, 1957

mile post 74.2 at spring

Schmidt & Co. Cd. & Office along

C/W-9-23-57

INSTRUCTIONS TO EXAMINERS

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

RECEIVED
NOV 1 1958

Department of Reclamation

P.D. is approx. 60' above road way. 1 1/2" pipe comes down center of stream. Not covered.

Dam is rock & logs

Stream over end of pipe

Masonry wall. 7' x 8' high by roadway



Masonry bowl

5' x 2' high cone shape inside

2 drinking outlets over

Same. Water drains thru

bot of bowl. Pipes removed in winter.

Used as drinking by roadside

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
OCT 18 1957

Department of Reclamation

Permit No. 25977

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. G. Bryce Bennett, 603 Main St., Boise, Idaho
State Highway Engineer, Box 879, Boise, 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. State of Idaho, Department of Highways

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

Ans. 25977, ¹⁰⁻⁴⁻June 17, 1955 - Date of Priority is ⁶⁻¹⁷⁻⁵⁵July 1, 1955

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

Ans. Bitter Root Spring, 2030 feet distant from the Southwest corner
of Sec. 32, Twp. 48 N., R. 6 E., B.M. and in Sec. 32, Twp. 48 N., R. 6 E., B.M.
340' West of the No. quarter corner of Section 5, in NE 1/4 Sec. 5, 47N 6.E

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. A 1/2" pipe carrying water .015 miles from the point of diversion
to the place of use and capable of carrying .011 cubic feet per second.
The amount of discharge was measured by the maximum capacity of the
pump.

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. Public domestic use. Used to supply water to a rubble masonry
fountain in Sec. 32, Twp. 48 N., R. 6 E., B.M.
350' West of the North quarter corner of Section 5, and in the SE 1/4 Section
32 Twp. 48 N. Range 6 E

25977

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

Ans. Fountain

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

Ans. .011 cubic feet per second

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. _____

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

Ans. The diverted water has been used for domestic purposes since
July 1, 1935

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 have been used

(Sign)

G. Bryce Bennett
G. Bryce Bennett

State Highway Engineer

OK
RMB

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 Boise, County of Ada

State of Idaho, on this 18th day of October, A. D. 1957.

Gordon M. Hawkes
Gordon M. Hawkes

My commission expires Feb. 16, 1958

25977

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 25977

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. H. Cairns, 59 years old, 1811 Sunrise Rim, Boise, Idaho

Assistant State Highway Engineer, Box 879, Boise, Idaho

Ques. 2. Are you acquainted with G. Bryce Bennett, the holder of Permit No. 25977? How long have you known him and where does he reside?

Ans. Yes, I have known him for 10 years and he resides at 603 Main Street

Ques. 3. Have you read or heard read said Permit No. 25977, 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. Bitter Root Spring. 2030-feet-distant-from-the-Southwest-corner
--of-Sec.-32, Twp. 48 N, R 6 E, B.M. and in Sec. 32, Twp. 48 N, R 6 E, B.M.
340' West, of the No. Quarter corner of Section 5, and in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 5,
A $\frac{1}{2}$ " pipe carries the water 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. .011 cubic feet per second.

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. Public domestic use. Used to supply water to a rubble masonry fountain. 350' West of No. Quarter corner of Sec. 5, and in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 32, Twp. 48.N Range 6.E.

25977

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

Ans. Fountain.

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. _____

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. I have from time to time observed the diverted waters being used for domestic purposes during the last 10 years.

(Signed) _____

J. H. Cairns
J. H. Cairns

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 Boise,
County of Ada, State of Idaho, on this 18th day of October,
A. D. 1957.

Gordon M. Hawkes
Gordon M. Hawkes

Notary Public.

My commission expires Feb. 16, 1958.

25977

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 25977

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. N. L. McCrea, 53 years old, 819 North 18th St., Boise, Idaho
Maintenance Engineer, Box 879, Boise, Idaho

Ques. 2. Are you acquainted with G. Bryce Bennett, the holder of Permit No. 25977? How long have you known him and where does he reside?

Ans. Yes, I have known him for 10 years and he resides at 603
Main Street

Ques. 3. Have you read or heard read said Permit No. 25977, 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. Bitter Root Spring. ~~2030 feet distant from the Southwest~~
~~corner of Sec. 32, Twp. 48 N, R 6 E, B.M. and in Sec. 32, 5 Twp. 48 N,~~
R 6 E, B.M. A $\frac{1}{2}$ " pipe carries the water to place of use.
340' West of the No. Quarter corner of Sec. 5, and in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 5,

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. .011 cubic feet per second

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. Public Domestic Use. Used to supply watter to a rubble
masonry fountain. 350' West of No. Quarter corner of Sec. 5,
and in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 32 Twp. 48.N. Range 6.E.

25977

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

Ans. Fountain.

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. _____

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. I have from time to time observed the diverted waters being
used for domestic purposes during the last 10 years.

(Signed) _____

N. L. McCrea

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 Boise,
County of Ada, State of Idaho, on this 18th day of October,
A. D. 1957.

Gordon M. Hawkes

Gordon M. Hawkes

Notary Public.

My commission expires Feb. 16, 1958.

25977

**To Permit to appropriate the Public Waters
of the State of Idaho, No. 25977**

By N.L. McCrea.

Comes now State of Idaho Dept. of Highways, and represents to the State Reclamation Engineer of the State of Idaho.

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 25977, and requests that the ^{place of use} ~~list of lands to be irrigated~~, as described in said permit, be changed to read as follows:

350 feet West of the North quarter corner of Section 5, Twp. 47 N.
Range 6.E. and in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 32, Twp. 48.N. Range 6.E.

....., making a total of acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Boise Idaho, this 18 day of October, 19 57

State of Idaho Dept. of Highways

By, N.L. McCrea

Date of receipt at office of Department of Reclamation October 18, 1957

APPROVAL OF STATE RECLAMATION ENGINEER

I, MARK R. KULP, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 25977. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

25977

Mark R Kulp

State Reclamation Engineer

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. 25977

Comes now State of Idaho Dept. of Highways, by N.L. McCrea,
Reclamation Engineer of the State of Idaho: and represents to the State

That he is the owner and holder of Permit to appropriate the Public
Waters of the State of Idaho, No. 25977.

That the point of diversion is described in said permit as being located
NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 32 Twp. 48.N. 6 E.

That he now requests that the point of diversion be changed to a point
located 340 feet West of the N. quarter corner of Section 5, Twp. 47.N.
Range 6. E. and in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ Sec. 5.

That his reasons for desiring to make such change are as follows:

Error in original application.

That no one will be injured by such change, and that such change will be
made at Permit Holder's own risk.

Signed at Boise Idaho., this 19 day of October,, 19 57

Dept. of Highways,

By,

Date of receipt at Department of Reclamation October 19, 1957

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby
approve the above and foregoing application for amendment to Permit to appropriate
the Public Waters of the State of Idaho, No. 25977. This approval constitutes
a new permit and is issued as an amendment to the original permit, to which it re-
fers and of which it becomes a part, and said application is approved only insofar
as the rights of others will not be adversely affected thereby.

Mark R. Kulp
State Reclamation Engineer

25977

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

Notice is hereby given that at 2:00 P.M. on the 18th day of October, 1957,
at Boise, County of Ada, State of Idaho, before
Gordon M. Hawkes, Notary Public, State Hwy. Bldg., proof will be submitted of the
application to beneficial use of .011 cubic feet per second of the waters of Bitter Root Spring
in accordance with the terms and conditions of Permit No. 25977
heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the ~~person or corporation~~ ^{department} holding said permit ~~is~~ ^{is} State of Idaho

Department of Highways, Box 879, Boise, Idaho

The use to which said water has been applied is Public

The amount applied to beneficial use is .011 cubic feet per second

The place where said water is used (~~if for irrigation give full and correct description of the lands irrigated~~)

~~At a rubble masonry fountain 2930 feet distant from the NE corner of Section 32, T.48 N.
R.4 E, Ada, County of Blaine~~

A rubble masonry fountain
650 feet E. of the no. quarter corner of Section 5, Twp. 47.N. Range 6.E.
and in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 32, Twp. 48.N. Range 6.E.

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. 25977

The source of supply from which such water is diverted is Bitter Root Spring

The date of priority which said user is prepared to establish is APPROXIMATELY June 19, 1955

MARK R. KULP

State Reclamation Engineer.

Form 6

Permit No. 25977

STATE OF IDAHO
Department of ReclamationRECEIVED
SEP 18 1957
Department of Reclamation

Proof of Completion of Work

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Ada

ss.

G. Bryce Bennett, 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. 25977, and that his postoffice address is Box 879, Boise, State of Idaho.

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

Third: That the point of diversion of said water is 2030 feet distant from the NE corner of section 32, T4B N R 6E, EM. and is in the NE 1/4 Sec. 32, T4B N, R6E BM County of Shoshone.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by 19

Fifth: That the use for which said water is intended is Public 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: Rubble Masonry Fountain 1/2" Pipe carrying water
(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 width at bottom feet, width at water line
(State whether ditch, flume or pipe)

feet, depth of water feet; diameter of pipe 1/2 inches, average grade per mile is feet. Length of conduit is .015 miles.

Seventh: That said works are capable of conducting to the place of intended use .011 second feet of water.

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

Ninth: Remarks: That place of use is in the same 40 as place of diversion. Water is piped 80 feet by means of 1/2" pipe.

State of Idaho, Department of Highways

(Sign Here)
State Highway Engineer

Subscribed and sworn to before me this 16th day of September, 1957

My commission expires 3/18/61

Notary Public.

25977

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

RE: Permit No. 25977

BOISE

August 1, 1957

State of Idaho- Department of Hiways
P.O.Box 879
Boise, Idaho

Dear Sir:

ATT: Bryce G. Bennett

Under the terms of your permit No. 25977 you are required to complete your diversion works and make proof of beneficial use on or before October 4, 1957.

We enclose herewith a blank affidavit to be filled out, sworn to by you before a Notary Public or 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 of Works will be issued to you.

We also enclose blank notice for proof of application of water to Beneficial Use under this permit, which should be filled out and returned to this office at least forty (40) days before the date upon which you wish to make proof. The proof must be submitted before a Notary Public or other officer authorized by law to administer oaths. The date for proof as set out in your permit, is October 4, 1957, and if proof is submitted subsequent to said date, your priority will be brought down a length of time equal to the time elapsing between the date proof should have been made and the date proof is actually made.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

25977

NAME OF APPLICANT.

Idaho Dept of Hwys

Form No. 0

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US 10

BITTER ROOT
SPRING

T 48 N

T 47 N

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Permit Map No.

As Approved

MARK R. KULP
State Reclamation Engineer

State Reclamation Engineer

25977

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

25977