

Form No. 0

R4W

LLOYD A. BENNETT

R-4 W

T
55
N

T55N

66 acres

Drainage D. 51. H7
P. 154
To Edgemore
P.D.

Subdivision

AREA

66aem.

9

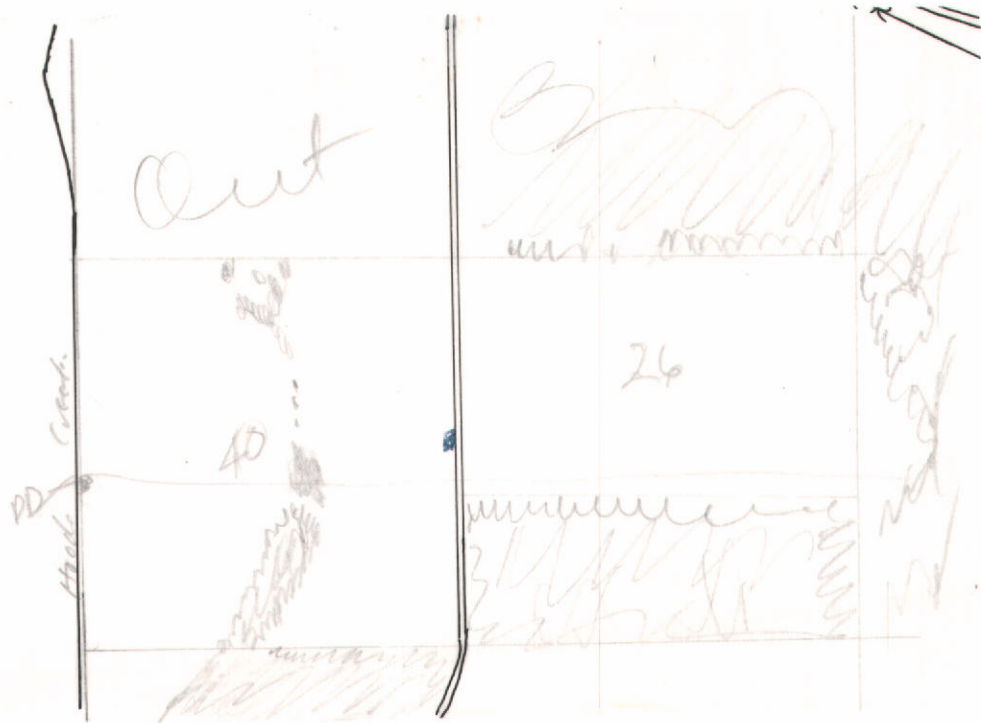
• 28 c/s or 14 inches

59

Permit Map No. 23094
As Approved
OCT 1 1952
MARK R. KULP
State Reclamation Engineer

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

23094



State of Idaho

License and Certificate of Water Right

Water License No. 23094

Amount .28 c.f.s.

Water District No. _____

Priority Sept. 18, 1952

THIS IS TO CERTIFY that

LLOYD A. BENNETT

of Vay, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated September 18, 19 52; that Permit No. 23094 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.50 second feet, was issued thereunder on December 23, 19 57, showing that said works were completed on the 6th day of December, 19 57; and that on the 25th day of September, 19 63,

LLOYD A. BENNETT

of Priest River, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of Drainage District No. 7 (Hoodoo Creek), a tributary of Pend Oreille River, for the purpose of irrigation

, under Use Permit No. 23094 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 13 of Licenses at page 7983, on the 8 day of September, 19 64;

The right hereby confirmed dates from September 18, 19 52;

The Point of Diversion is located

in the SW 1/4 SW 1/4, Sec. 24, Tp. 55 N, R. 4 W, B. M. Bonner 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 .28 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
55 N	4 W	24	SE 1/4 SW 1/4	40	26
			SW 1/4 SW 1/4	40	40
			Total number of acres to be irrigated:		66

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

8th day of September, 19 64.

CARL E. TAPPAN
State Reclamation Engineer.

(SEAL)

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

96-2214

APPLICATION No. 30851
 PERMIT No. 23094
 DISTRICT No.

1. Name of Applicant: **LLOYD A. BENNETT**

Postoffice address: **Vay** *At. 1, Priest River*

County: **Bonner**

State: **Idaho**

I. If applicant is a corporation, give:

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

II. The financial resources of the applicant are:

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

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: **2.20**

cubic feet per second.

3. Source of water supply **Drainage District # 7 (Hoodoo/**

Creek)

which is a tributary of **Pend Oreille River**

4. Location of point of diversion: **See Remarks (page 3)**

feet distant from the

corner of Section , T. , R. , B. M., and is in the **SW $\frac{1}{4}$ SW $\frac{1}{4}$**

of Section **24** , T. **55 N.** , R. **4 W.** , B.M., County of **Bonner**

5. Water is to be used for **Irrigation (sprinkler irrigation)**

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: **\$6,000.00**

8. Kind of works: **Pipe for sprinkler irrigation**

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

feet; material used in dam:

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

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;

dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is **Five (5)** years.

13. The time required for the complete application of the water to the proposed use is **Six (6)** 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.

LLOYD A. BENNETT

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. September 18, 1952

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 23094

Recorded in Book 82 Page 23094 Approved October 1, 1952

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 **December 1, 1952**

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 **April 1, 1955**

The whole of said work to be completed on or before **October 1, 1957**

Beneficial use of water appropriated in accordance herewith, to be made on or before **October 1, 1963**

WITNESS My hand this 1st day of October, 1952

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, LEN JORDAN, 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 1st.....

day of October, 19 52.

STATE OF IDAHO

Countersigned:

(SEAL)

By **LEN JORDAN**

Governor.

By IRA H. MASTERS

Secretary of State.

REMARKS: The drainage ditch (Drainage District # 7) flows North along the West line of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 24, the section line. It will be desirable to divert water from points along the entire distance across the forty.

14.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
55 N.	4 W.	24									20		40	40	10				110
Drainage District No. 7 of Bonner County, Idaho, does hereby grant permission to Lloyd A. Bennett to extract and pump water from a drainage district ditch at any such places as said person may have permission of the adjoining and abutting land owners and holders to do so, provided, however, that said person, or his agents and employees shall not at any time allow said equipment used to extract or pump water from said ditch to interfere with or obstruct the flowage of the water in said ditch at any time. Date: 30 April 1952 DRAINAGE DISTRICT No. 7 By Esther V. Inman, Secty. By Roy McClure.																			

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

In the Matter of the Reinstatement)
of Permit No. 23094 Under the)
Provisions of Section 42-311 Idaho)
Code

ORDER REINSTATING PERMIT

WHEREAS, Permit No. 23094 lapsed through failure of the holder to make proof of completion of the works of diversion within the time specified in the Permit, to-wit: October 1, 1957; and;

WHEREAS, On the 15th day of November, 1957 notice to show cause why said permit should not be cancelled, under the provisions of Section 42-311, Idaho Code, was duly served on the holder of said permit; and,

WHEREAS, On the 6th day of December, 1957 the holder filed notice of appearance to offer proof to show that the works of diversion under said permit were fully completed within the time required; and,

WHEREAS, After examination of the proof of completion the State Reclamation Engineer of the State of Idaho, is fully satisfied that the works of diversion were completed as required under the terms of said Permit No. 23094, and that the holder has acted in good faith;

IT IS, THEREFORE, Hereby Ordered that said Permit No. 23094 be, and the same is, hereby reinstated, and that a certificate of completion of works be issued to the applicant herein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this Department, at Boise, Idaho, this 20th day of December 1957.

(SEAL)

/s/ Mark R. Kulp
State Reclamation Engineer

Recorded: December 20, 1957.

Permit No. 23094

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that LLOYD A. BENNETT of Vay, County of Bonner, and State of Idaho, the holder of Permit No. 23094, issued upon Application No. 30851 bearing date of priority of September 18, 1952, authorizing the diversion of 2.20 second feet of the waters of Drainage District #7 (Hoodoo Creek) County of Bonner, State of Idaho, for Irrigation (sprinkler) 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 0.50 second feet of the waters of Hoodoo Creek that the point of diversion of said waters SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 24, Township 55 North, Range 4 West, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 23 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ and the North 26 acres of the SE $\frac{1}{4}$ SW $\frac{1}{4}$, all in Section 24, Township 55 North, Range 4 West, B.M. Proof of Completion of Works made: December 6, 1957.

Witness my hand this 23rd day of December, A.D. 1957

/s/ Mark R. Kulp
State Reclamation Engineer

Proof of Completion of Works made: December 6, 1957

Certificate of Completion of Works issued: December 23, 1957.

LICENSE ISSUED FOR 28 SEC. FT.
LICENSE PAGE NO. 7983

(Form No. 1)

P. O.

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No.

Permit No.

District No.

1. Name of applicant: Delta F. Collins box 122 Colville, Wash.
Olive M. Edmister 1718 E. Gordon Spokane, Wash.
Martha E. Schermerhorn Glide, Oregon
 Post office address _____ County _____ State _____

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: 2.20 cubic feet per second
3. Source of water supply: Drainage District No. 7 (Hoodoo Creek)
 which is tributary of Pond O'Reille River
4. Location of point of diversion: see remarks pg. 3 feet distant from the SW corner
 of Section 24, T. 55N, R. 4W, B. M., and is in the SW 1/4
 of Section 24, T. 55N, R. 4W, B. M., County of Bonner
5. Water is to be used for: Irrigation (Sprinkler Irrigation)
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: \$6000
8. Kind of works: Pipe for Sprinkler Irrigation
 (Reservoir, dam, ditch, flume, pipe, etc.)
9. Height of dam _____ feet; length of dam at top _____ feet; length of dam at bottom _____
 (If height of dam will exceed 10 feet or will store more than 100 acre feet of water, send to Department of Reclamation for Regulations.)
 feet; material used in dam _____
10. Size of headgate: Width _____ feet; Height _____ feet.
11. Ditch: Width at bottom _____ feet; Width at water line _____ feet; Depth of water _____ feet;
 Dimensions of flume _____; Diameter of pipe _____ inches;
 Length of conduit _____ miles. Average grade per mile _____ feet.

23094

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

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

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

(Give irrigable acreage in each 40-acre subdivision)

[illegible]

Total Number of Acres to be Irrigated.....110.....

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:..... **Permit No. 10408**

Issued to Otis J. Merritt. Approved by F.P.King, State Engineer on July 8, 1914
 Diversion of water from Crystal Creek for domestic use and certified 7/24/16,
 for completion of work by J.H.Smith, State Engineer of State Of Idaho

2309H

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: _____

Remarks: The drainage ditch, (drainage district #7) flows north along the west line of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of section 24, the section line. It will be desirable to divert water from points along the entire distance across the forty.

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. Martha E Schermerhorn, Glide, Oregon; Olive M. Edmister, Spokane, Wash., Delta F. Collins, of Colville, Wash. Applicant.

By Delta F. Collins, Agent

Affidavit of Permission to File on Springs

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

I, _____, of _____, County of _____, State of _____, do hereby certify that I am the owner of the land on which the spring mentioned in the application of _____ is located, to-wit: _____

and that I do hereby grant unto the said _____ permission to file on the said spring as set forth in the foregoing application.

STATE OF IDAHO

County of _____ } ss.

On this _____ day of _____, 195____, before me, a Notary Public for the State of Idaho, residing at _____, personally appeared _____ known to me to be the person... whose name... subscribed to the foregoing certificate, and acknowledged to me that ...he... executed the same.

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

My commission expires _____

Notary Public.

23094

Approval of State Reclamation Engineer

The number of this permit is _____

Recorded in Book _____ Page _____ Approved _____

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

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

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

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

The whole of said work to be completed on or before _____

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

Witness my hand this _____ day of _____, 195 _____

Mark R. Kulp
State Reclamation Engineer.

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

and _____, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this _____ day of _____, 195 _____

Countersigned:

STATE OF IDAHO

By _____
Secretary of State.

By _____
Governor.

No. _____	PERMIT	Date of first receipt at office of State Reclamation Engineer <i>9/20 G. H. Sec. 3</i>	Returned to applicant for correction	Corrected application received	Fees, \$ _____	FILING FEES FOR USE PERMIT: For the first Sec. Ft. \$5.00 For each additional Sec. Ft. or Fraction Thereof .25
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23094

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 23094

REPORT ON PROOF OF BENEFICIAL USE

Lloyd A. Bennett
Route #1
Priest River, Idaho

residence: Vay, Idaho

NAME OF APPLICANT

SECTION

TOWNSHIP

RANGE

STATE

DATE

PAGE

R4W

LAND A. ROBERT

N

26

T
55
N

75W

660m

Subdivision

AREA

660m

Q

2800 or 10000

S

Permit Map No.

23094

As Approved

MARK R. KULP

State Reclamation Engineer

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

Permit No. 23094 ✓

This proof is for Beneficial Use ✓

In Water District No. _____

1. Name of applicant Lloyd A. Bennett ✓

2. Source of water supply: Drainage Dist. #7 (Hoodoo Creek) ✓

 3. Location of point of diversion: Is in the X SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 24
 T. 55 N R. 4 W County of Bonner

 4. Describe works as they exist, giving dimensions and capacities of same: 7 1/2 HP Wagner
Motor direct connection to a Deming Centrifugal pump # 192478 2" x 1 1/2"
3" suction reduced to 2" at pump - 1 1/2" outlet increased to 4" x 1/2 mile
portable main line - 19 - 1 1/2" x 3/32" nipples. 3" lateral 20'
5. Water is used for: irrigation ✓6. State whether or not water has been turned into works of diversion: yes

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

23 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, North 26 acres of SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 24, T. 55 N., R. 4 W.
NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 24, T. 55 N., R. 4 W., 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? _____

Remarks: Mr. Bennett at work. Mrs. Bennett consulted.Measured by taking pressure readings along lateralThis examination was made on the 18th day of August, 1964

(Signed)

L. J. Johnson

Examiner.

23094

22.4 x 1.4 35"
Lloyd A. Bennett
Route #1
Priest River, Idaho
7/4/64
Permit No. 23094
Sacks. 7

19-1/64 X 3/32

Examination for Beneficial Use

County Bonner

Sec. 24 T. 55N R. 4W

Quantity: 2,200 c.f.s.

Sources: Drainage #7
(Hooded Creek)

P.D.: SWSW Sec. 24, T. 55N, R. 4W

Use: Irrigation

Filed: September 18, 1952

Due: October 1, 1963

Extension: —

Completion of Works: —

Other Rights: none

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

AUG 25 1964

Department of Irrigation

February 27, 1969

RE: License No. 23094

William R. Brees
Route #1, Box 65-C
Priest River, Idaho 83856

New owner

Dear Mr. Brees:

Once a water license has been issued it then becomes appurtenant to the lands. This license number should be mentioned in the deed or bill of sale. We are, however, including your name and address as the present owner in our files.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure: License No. 23094

23094
96-2214

September 8, 1964

Re: Permit No. 23094

Lloyd A. Bennett
Route #1
Priest River, Idaho

Dear Mr. Bennett:

Enclosed is License and Certificate of Water
Right issued on the above numbered permit.

Also enclosed is departmental receipt No. 32421
in the amount of \$4.00 covering fees.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Adna P. Rule
Chief Clerk

EPR:ew

Enc. license
receipt

23094

RECEIVED
SEP 2 1964
Department of Reclamation

Sept. 1, 1964

Department of Reclamation
Room 107, State House
Boise, Idaho.

Dear Sir;

Enclosed is a money order for the amount of \$4.00 as statutory
fee for our water permit No. 23094.

Yours truly

Lloyd A. Bennett
Lloyd A. Bennett

23094

August 26, 1964

Re: Permit No. 23094

Lloyd A. Bennett
Rt 1
Priest River, Idaho

Dear Mr. Bennett:

Our field engineer's report on his inspection of the application of water to beneficial use under the terms of Permit No. 23094 shows the pump & pipe line ~~are~~ capable of conveying 14 miner's inches, or .28 c.f.s. of water for the irrigation of 66 acres.

Upon receipt of the statutory fee of \$ 4.00 -based at the rate of \$2.00 for each 40-acre subdivision - we will issue the License and Certificate of Water Right, confirming the right with priority of September 18, 1952 to the use of .28 second feet of surface water with the point of diversion in the SW 1/4, Sec. 24 from Hoodoo Creek for irrigation of 66 acres in the S 1/2, Sec. 24, T. 55 N., R. 4 W., B.M.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

23094

39

7

3

✓
39

37

30

114

37

657

618

675

19

6075

675

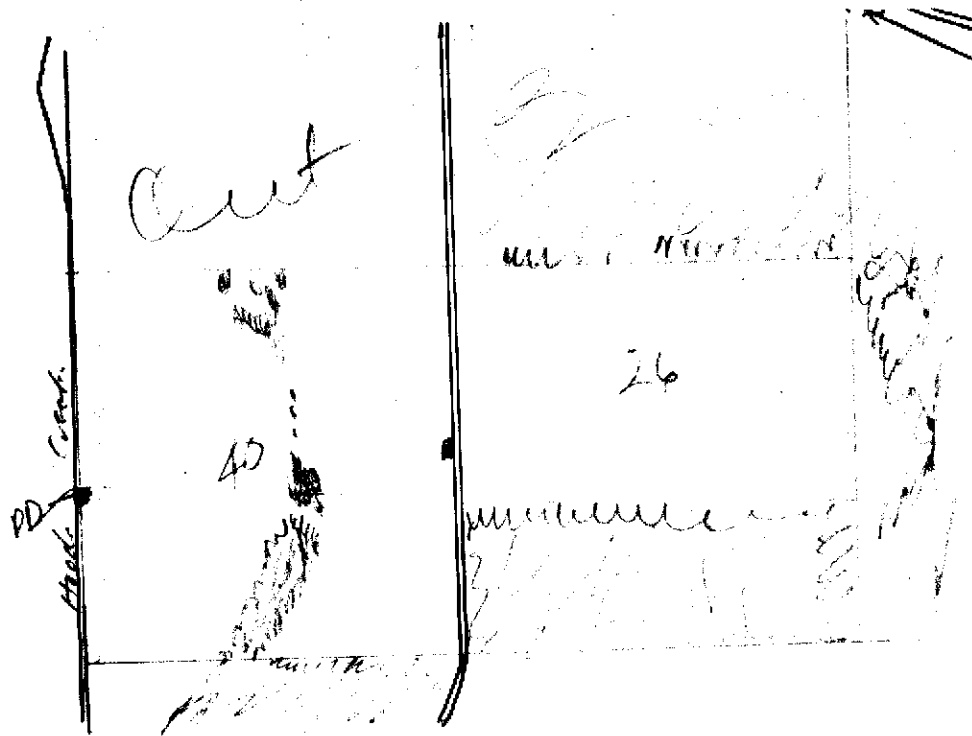
9 128.25
14.25

703

657

46

09



1M April 1962

Oct. 1, 1963

Re: Permit No.

23094

Lloyd A. Bennett
Route #1
Priest River, Idaho

Dear Mr. Bennett:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the Sandpoint News Bulletin Sandpoint, Idaho, all submitted in proof of ~~completion of works~~ and beneficial use on Permit No. 23094.

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

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

CARL E. TAPPAN

~~GEO. N. CARTER~~

State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:

Enclosed is the statement marked "Paid" from the newspaper for your files

cc: Greene & Hunt
Attorneys at Law
323 N. Second Ave.
Sandpoint, Idaho

23094

RAYMOND T. GREENE, JR.

JAMES E. HUNT

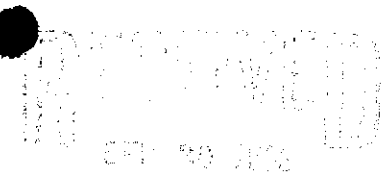
GREENE & HUNT

ATTORNEYS AT LAW

323 NORTH SECOND AVENUE

SANDPOINT, IDAHO

TELEPHONE CONGRESS 3-2109



Department of Reclamation

September 26, 1963

State Reclamation Engineer
Department of Reclamation
Boise, Idaho

Re: Permit No. 23094
Lloyd A. Bennett, Rt. 1, Priest River

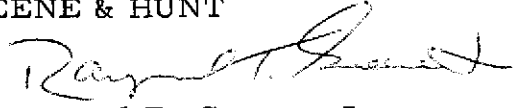
Gentlemen:

Enclosed herewith please find Deposition of Holder and two Depositions of Witness on proof of application of water to beneficial use concerning the above permit. The Affidavit of Publication is also enclosed. Will you please properly process the same.

Very truly yours,

GREENE & HUNT

By:


Raymond T. Greene, Jr.

23094

RECEIVED
SEP 30 1952

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Department of Reclamation

Permit No. 23094

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

DEPOSITION OF HOLDER

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

Lloyd A. Bennett Route 1 Priest River, Idaho Farmer- Horseshoer

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:

Acting for myself

Ques. 3. State number, approval date of permit, and date of priority you propose to establish under the permit; Permit # 23094 23rd December 1957 September 18, 1952

Ques. 4. State source of water supply: Hoodoo Creek

Give location of point of diversion, showing subdivision, section, township and range:

SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 24, Township 55 North, Range 4 West, B.M.

Ques. 5. Describe your works of diversion: Electric pump and Sprinkler Irrigation

_____ ; state amount of water they are capable of conveying from point of diversion to place of use 0.50 ; Give name of canal or ditch

or other works by which water is conducted to such place of use: Irrigation pipe

_____ ; if a well, state depth of well None ; depth and size of casing:

None ; depth to water None ; if pump is used,

state discharge of pump: None ; tell how it was measured or determined: None

_____ ; if sprinkler irrigation, give number and size of nozzles and

operating pressure: 22 sprinkler heads 7 $\frac{1}{2}$ gallons per minute 35 lbs. operating pressure

Ques. 6. State for what purpose water is used: Irrigation

If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water : 23 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$

and the North 26 acres of the SE $\frac{1}{4}$ SW $\frac{1}{4}$, all in Section 24, township 55 North, Range 4 West, B.M.

B.M.

State nature of all improvements which have been made as a direct result of said use:

Application of water to arid land that is unproductive with out water. Pasture during dry season

23094
AK

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: None

Ques. 7. If for other than irrigation purposes, state purpose and how used:

None

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

None

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:

I made the original application.

Ques. 10. State when and in what amount the water diverted under above mentioned permit has been first used: June 1952 0.50 Time used since first use:

Ques. 11. Describe all other water rights appurtenant to same place of use:

None

(sign) Lloyd A. Bennett

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

Sandpoint

, County of

Bonner

State of Idaho, on this 25th day of September, A.D. 19 63.

Raymond T. Evans

My Commission expires: 1/20/64

23094

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 23094

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. Lillie Marie Sandbeck Age 34 Residence Sandpoint Occupation Housewife
1227 Lake St. Sandpoint, Idaho.

Ques. 2. Are you acquainted with Lloyd A. Bennett, the holder of Permit No. 23094? How long have you known him and where does he reside?

Ans. Yes I am acquainted ^{with} Lloyd A. Bennett. I have ~~known~~ known him 3yrs. He resides in Vay,
Idaho

Ques. 3. Have you read or heard read said Permit No. 23094, 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. SW¹/₄SW¹/₄ of Section 24, Township 55 North, Range 4 West, B.M.
Hoodoo Creek is the source by Electric pump and Sprinkler pipe

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. 0. 50 The same amount 0. 50

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. 23 acres in the SW¹/₄SW¹/₄ and the North 26 acres of the SE¹/₄SW¹/₄, all in Section 24, Township 55 North, Range 4 West, B.M. It is use for irrigation on culivated and pasture land. Pasture all summer for cattle and three crops of hay instead of just one

23094

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

Ans. None

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. Sandy loam without the qulities to irrigate by flooding so sprinkler was
used amount of water neccessary for use is 0.50

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 visited during summer when sprinkler was going on hay and pasture land

Lilli Marie Sandberg

(Signed)

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 Sandpoint, County of Bonner, State of Idaho, on this 25th day of September, A. D. 1963.

Raymond T. Greene Jr.

Notary Public.

My commission expires 1/20/64.

23094

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JUL 19 1914
J. Bennett

PERMIT NO. 23094

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. Arnold William Sandbeck Age 46 Residence Sandpoint Occupation Disabled
Veteran 1227 Lake St. Sandpoint, Idaho

Ques. 2. Are you acquainted with Lloyd A. Bennett, the holder of Permit No. 23094? How long have you known him and where does he reside?

Ans. Yes I am acquainted with Lloyd A. Bennett. I have known him 3 yrs. and
he lives at Vay Idaho.

Ques. 3. Have you read or heard read said Permit No. 23094, 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. SW $\frac{1}{4}$ SW $\frac{1}{4}$ OF Section 24, Township 55 North, Range 1 West, B.M.

Hoodoo Creek is the source by Electric pump and sprinkler pipe

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. 0.50 The same amount 0.50

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. 23 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ and the North 26 acres of the SE $\frac{1}{4}$ SW $\frac{1}{4}$, all in Section
24, Township 55 North, Range 1 West, B.M. It is used for irrigation on cultivated and
pasture land. Pasture all summer for cattle and three crops of hay instead of just one

23094

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

Ans. None

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. Sandy loam without the qualities to irrigate by flooding so sprinkler was used. Amount of water necessary for use is 0.50

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 visited during summer when sprinkler was going on hay and pasture land.

Arnold William Sandbeck

(Signed)

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 Sandpoint, County of Bonner, State of Idaho, on this 25th day of September, A. D. 19 63.

Raymond T. Greene Jr.
Notary Public.

My commission expires 1/20/64.

23094

Affidavit of Publication

STATE OF IDAHO, }
County of Bonner, } ss.

L. E. Pietsch being first duly sworn on
oath deposes and says that he is Publisher
of The Sandpoint News-Bulletin, a weekly
newspaper printed and published at Sandpoint,
Bonner County, Idaho; that the said Sandpoint
News-Bulletin has been continuously and unin-
terruptedly published in said Bonner County
during a period of 18 months or 78 weeks
prior to the first publication of the hereto
attached notice for publication in the case of
Notice for Publication; Notice of
Proof Application of Water to
Beneficial Use; Drainage Dist. #7

as it was published in the regular and entire issue
of the said paper for a period of Four
consecutive weeks, commencing on the 15th
day of August, 1963, and end-
ing on the 5th day of September,
1963, and that said notice was published in said
newspaper, and not in supplemental form.

L. E. Pietsch

Subscribed and sworn to before me this
30th day of September, 1963.

Phyllis Correll

Notary Public for Idaho,
Residing at Sandpoint, Idaho.

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

Notice is hereby given that at
2:00 P.M. on the 25th day of Sep-
tember, 1963, at Sandpoint, County
of Bonner, State of Idaho, before
Raymond T. Greene, proof will be
submitted of the application to bene-
ficial use of 2.20 cubic feet per
second of the waters of Drainage
District No. 7 (Hoodoo Creek) in
accordance with the terms and con-
ditions of Permit No. 23094 hereto-
fore issued by the Department of
Reclamation of the State of Idaho.

The name and post office address
of the person or corporation hold-
ing said permit: Lloyd A. Bennett,
Route 1, Priest River, Idaho.

The use to which said water has
been applied is Irrigation (Sprink-
ler).

The amount applied to beneficial
use is 0.50.

The point of diversion of said
water is SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 24,
Township 55 North, Range 4 West
B. M.

The place where said water is
used (Legal Description): 23 acres
in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ and the north 23
acres of the SE $\frac{1}{4}$ SW $\frac{1}{4}$, all in Sec-
tion 24, Township 55 North Range
4 West, B.M.

The date of priority which said
user is prepared to establish is
September 18, 1952.

CARL E. TAPPAN,
Acting State Reclamation Engineer
a15-22-29-s5

RECEIVED

Department of Reclamation

23094

August 26, 1963

Re: Permit No. 23094
Lloyd A. Bennett

Sandpoint News Bulletin
Sandpoint, Idaho

Gentlemen:

On August 9th we mailed a Notice of Publication on the above numbered permit, requesting that a copy be mailed for checking purposes.

To date we have not received such copy and ask at this time that one be mailed to this office as soon as possible.

Thank you.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

H. PETRI
State Water Rights Clerk

HP:ew

23094

Aug. 21, 1963

Department of Reclamation
Room 107 State House
Boise, Idaho.

Dear Sir;

Recently I sent the papers into you for proof on our water right, Permit No. 23094. the notice that was sent to the Sandpoint News Bulletin I found was in error on the Priority Date. I went into see them and they have corrected it on the notice they have so it will be published correctly in their next issue.

The correct priority date is September 18, 1952 which is on our Certificate of Completion of Works.

Sorry I made this mistake in typing out the notice.

Yours truly

Lloyd A. Bennett
Lloyd A. Bennett

filed Sept. 18, 1952

BU done Oct 1, 1963

23094

August 12, 1963

Re: Permit No. 23094

Mr. Lloyd A. Bennett,
Route #1,
Priest River, Idaho.

Dear Mr. Bennett:

This acknowledges the Notice of Proof of ~~Sandpoint New Bulletin~~ Application of Water to Beneficial Use under Permit No. 23094. The proofs are to be made at 2:00 o'clock P.M., on the 25th day of September, 1963, before Raymond T. Greene, Sandpoint, Idaho,, Notary Public.

As of this date we have mailed the Notice to the Sandpoint New Bulletin Sandpoint, Idaho with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof then mail the affidavit of publication and statement of costs to you.

It is important that the enclosed depositions be executed by you and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the place, on the date, and at the time and before the Notary, as advertised. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, the Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the Affidavit of Publication.

Very truly yours,

~~Raymond T. Greene~~
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

23094

Enc.
EPR:pmk
cc: Notary

4-12-1963
Department of Reclamation

August 7, 1963

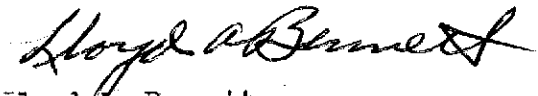
Mr. George N. Carter
Department of Reclamation
Room 107, State House
Boise, Idaho

Dear Sir;

Enclosed are the forms 10 in duplicate and form 11 as requested
in your letter.

I was not aware of this additional requirement to prove on our
water until I was reminded of it by the Supervisor of the F.H.A.

Yours truly



Lloyd A. Bennett

23094

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) August 7, 1963

(P. O.) Route 1 Priest River, Idaho

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published
at my expense in the Sandpoint News-Bulletin of
Sandpoint published in the
county in which the works are situated. *Bonner Co.*

Lloyd A Bennett

(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

23094

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

P.M.

Notice is hereby given that at 2:00 ~~AM~~ on the 25th day of September, 1963,
at Sandpoint, County of Bonner, State of Idaho, before
Raymond T. Greene, proof will be submitted of the
application to beneficial use of 2.20 cubic feet per second of the waters of _____
Drainage District #7 (Hoodoo Creek) in accordance with the terms and conditions of
Permit No. 23094 heretofore issued by the Department of Reclamation of the State of
Idaho.

The name and post office address of the person or corporation holding said permit _____
Lloyd A. Bennett Route 1 Priest River, Idaho

The use to which said water has been applied is Irrigation (Sprinkler)

The amount applied to beneficial use is 0.50

The point of diversion of said water is SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 24, Township 55 North
Range 4 West, B.M.

The place where said water is used (LEGAL DESCRIPTION) 23 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and
the North 26 acres of the SE $\frac{1}{4}$ SW $\frac{1}{4}$, ALL in Section 24, Township 55 North, Range 4 West B.M.

The date of priority which said user is prepared to establish is September 18, 1952.

23094

CARL E. TAPPAN, Acting
State Reclamation Engineer

9

August 9, 1963

Re: Permit No. 23094
Lloyd A. Bennett

Sandpoint News Bulletin,
Sandpoint, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to September 25, 1963, the date set for proof; the expense of the publication is to be paid by the applicant, Lloyd A. Bennett, of Route #1, Priest River, Idaho; 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 or tear sheet of the first publication.**

Very truly yours,

CARL E. TAPPAN, Acting
State Reclamation Engineer

** If the first copy is not received in this office for checking purposes and errors appear in subsequent issues, it is possible that re-publication of corrected copy will be at your own expense.

23094

Encl.
CET:pmk

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Re: Permit No. 23094

Date:

Aug. 1, 1963

Lloyd A. Bennett
Vay, Idaho

Dear Mr. Bennett:

The date for proof of application of water to beneficial use, as set out under the terms of Permit No. 23094 is due not later than October 1, 1963. If by this date you are not prepared to make this proof, you may make it at a later date, however, your priority will be advanced the same length of time for which the proof is late.

Before this proof can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county.

We enclose Form 10, in duplicate, which is to be filled in and returned to this department at least forty (40) days before the above mentioned date and/or before the time you intend to make proof. This form, in duplicate, is to include the time of day, the date, the name of the town, the address of the Notary Public before whom you will appear to make the depositions of proof (this may be at any place that is convenient for you and your two witnesses), the quantity of water, for what purpose it is used, the point or points of diversion and the location of use or lands which are irrigated - by legal land description. Descriptions should be taken from your Permit, including any amendments thereto, as recorded in this department. If changes have been made and no amendments are on record, we advise that you request a form for this purpose before your notice is published.

Also enclosed is Form 11, which is the authorization for us to have the notice published in the designated county newspaper, at your expense. This is to be returned with Forms 10.

At the time we send the notice to the newspaper we will send to you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set and at the place named, before the Notary Public, as advertised in the publication notice.

The amount of water allowed in a license cannot be more than is actually produced and measured and put to beneficial use, and cannot be more than the statutory amount allowable per acre of land actually found by field inspection to have been irrigated at the time of proof.

Very truly yours,


CARL E. TAPPAN, Acting
State Reclamation Engineer

Enc. Form 10 and 11

23094

December 23, 1957

Re: Permit No. 23094

Mr. Lloyd A. Bennett
Vay
Idaho

Dear Mr. Bennett:

Enclosed is the Certificate of Completion of Works issued under Permit No. 23094 for the diversion of 0.50 second foot of water from Hoodoo Creek, with the point of diversion in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 24, for irrigation of 49 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 24, Township 55 North, Range 4 West, B.M.

Enclosed also is departmental receipt #28915 for \$5.00 issued as receipt of the fee for the Certificate of Completion of Works.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enc.

23094

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Reinstatement)
of Permit No. 23094 Under the)
Provisions of Section 42-311 Idaho)
Code

ORDER REINSTATING PERMIT

WHEREAS, Permit No. 23094 lapsed through failure of the holder to make proof of completion of the works of diversion within the time specified in the Permit, to-wit: October 1, 1957; and,

WHEREAS, On the 15th day of November, 1957 notice to show cause why said permit should not be cancelled, under the provisions of Section 42-311, Idaho Code, was duly served on the holder of said permit; and,

WHEREAS, On the 6th day of December, 1957 the holder filed notice of appearance to offer proof to show that the works of diversion under said permit were fully completed within the time required; and,

~~WHEREAS, On the _____ day of _____, 19____ depositions of the holder and two witnesses were received at the Department of Reclamation showing that the said works of diversion were completed within the time required in the permit; and,~~

WHEREAS, After examination of the ^{proof of completion} ~~said depositions~~, the State Reclamation Engineer of the State of Idaho, is fully satisfied that the works of diversion were completed as required under the terms of said Permit No. 23094, and that the holder has acted in good faith;

IT IS, THEREFORE, Hereby Ordered that said Permit No. 23094 be, and the same is, hereby reinstated, and that a certificate of completion of works be issued to the applicant herein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this Department, at Boise, Idaho, this 20th day of December, 1957,

Mark R. Kulp
State Reclamation Engineer

23094

December 11, 1957

Re: Permit No. 23094

Mr. Lloyd A. Bennett
Vay,
Idaho

Dear Mr. Bennett:

We wish to acknowledge receipt of your Proof of Completion of Works on the above stated permit. The affidavit is filled out in due form, however, you over looked sending us the five dollar fee in connection therewith.

The fee of five dollars for Proof of Completion of Works is a statutory requirement. Upon the receipt of the five dollars, a certificate of completion of works will be issued.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

RWT:lw

23094

STATE OF IDAHO
Department of Reclamation

RECEIVED
DEC 10 1957

Proof of Completion of Works

Department of Reclamation

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of BONNER

ss.

Lloyd A. 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. 23094, and that his postoffice address is Vay

State of Idaho

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

Hoodoo Creek

Third: That the point of diversion of said water is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 24

T 55 N R 4 W.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by October 1, 1957.

Fifth: That the use for which said water is intended is Irrigation

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

I. Kind of works: Pipe for sprinkler irrigation

(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 Pipe width at bottom feet, width at water line

(State whether ditch, flume or pipe)

feet, depth of water feet; diameter of pipe 4 inches, average grade per mile is 60 feet. Length of conduit is 0.4 miles.

Seventh: That said works are capable of conducting to the place of intended use 0.50 second feet of water.

Eighth: That water appropriated under said permit is available for acres of land described as follows: 23 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ and the north 26 acres of the SE $\frac{1}{4}$ SW $\frac{1}{4}$, all in Section 24, T 55 N, R 4 W.

Ninth: Remarks: That

Lloyd A. Bennett
(Sign Here)

Subscribed and sworn to before me this 6th day of December, 1957.

My commission expires Apr 10, 1961

Notary Public.

23094

December 3, 1957

Re: Permit No. 23094

Mr. Lloyd A. Bennett
Vay,
Idaho

Dear Mr. Bennett:

In answer to your letter of November 27, 1957 stating that you have not been able to apply the full amount of the filing to Beneficial Use, therefore you wish to make Proof on 2.20 cubic feet per second instead of .5 cubic feet per second as filed on. You also request an extension of 30 days in which to fill out affidavits and so forth.

We cannot legally allow you an extension of time, however, we will accept your Proofs and will not cancell your permit providing you will fill out the affidavit of Proof of Completion of Works as outlined by our letter of October 1, 1957 as soon as possible and send to this department properly filled out.

We will accept same providing you state in your Proof that the works were completed on or before October 1, 1957 on the part that you are proving up on.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

RWT:lw

23094

Way Idaho
27 Nov. 1957

RECEIVED
NOV 29 1957
Department of Reclamation

Mark R. Kulp
State Reclamation Engineer
Boise Idaho

Dear Sir;

In reply to notice received concerning completion of water system. When I filed for water it was my plans to clear land sufficient to utilize 2.20 cubic feet per second of water & thus apply for that much as a permanent water right.

However I have been unable to clear that much land. In addition water applied to land already cleared made it produce sufficient for my feeding needs at present.

I would like to request that my permit not be cancelled but be extended to complete affidavit for proof of completion of water

23094

works for the amount of .5 cubic
feet per second at the designated
point of diversion.

This is sufficient water for our
present needs, hoping however that
when additional land is cleared
I can apply for water needs.

If I can get 30 day extension
to fill out affidavit it would
be appreciated.

yours Truly
Lloyd A. Bennett.

INSTRUCTIONS TO DELIVERING EMPLOYEE

- ☐ DELIVER ONLY TO ADDRESSEE (20¢ additional)
☐ SHOW ADDRESS WHERE DELIVERED IN ITEM 4 BELOW (31¢ additional)

RECEIPT

Received from the Postmaster the Registered, Certified, or Insured Article, the number of which appears on the face of this return receipt.

1. SIGNATURE OR NAME OF ADDRESSEE

X *Lloyd A Bennett*

2. SIGNATURE OF ADDRESSEE'S AGENT (Agent should enter addressee's name in item 1 above)

3. DELIVERY DATE

11-20 19 57

4.

23094

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE

23094 Cyn Made

POST OFFICE
DELIVERING OFFICE

NOV
20
P.M.
1957

INSTRUCTIONS. Show name, address and number of article below. Complete "Instructions to Delivering Employees" on other side, when applicable. Moisten gummed ends and securely attach to back of article. Endorse front of article RETURN RECEIPT REQUESTED.

RETURN TO
23094

REGISTERED NO.

NAME OF SENDER

Department of Reclamation

CERTIFIED NO.

STREET AND NO. OR P. O. BOX

State House, Room 107

INSURED NO.

CITY, ZONE, AND STATE

Boise, Id

POD Form 3811, Dec. 1955

23094

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

November 15, 1957

Re: Permit No. 23094

To Mr. Lloyd A. Bennett

Vay, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. _____
to Appropriate the Public Waters of the State of Idaho, have not been complied with as to _____

Completion of works which was due October 1st, 1957

you are hereby notified in compliance with Sec. 42-311, Idaho code that said Permit No. 23094
is hereby held for cancellation.

You are hereby required to show cause before the State Reclamation Engineer on or before forty days from
date of this notice why said Permit should not be cancelled.

Said Permit No. 23094 claims the use of 2.20 cubic feet per second of the
waters of Drainage Dist. #7, Hoodoo Creek with point of diversion located
SW 1/4 Sec. 24, Twp. 55N., Rge. 4 W. and
was approved October 1, 1952

In Witness Whereof, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, the
15th day of November, 1957

Mark R. Kulp.
State Reclamation Engineer.

By _____ Assistant.

23094

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

RE: Permit No. 23094

August 1, 1957

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Mr. Lloyd A. Bennett
Vay, Idaho

Boise, Idaho

Dear Sir:-

Under the terms of your permit No. 23094 you are required to complete your diversion works on or before October 1, 1957. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

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

Yours truly,

MARK E. KULP
State Reclamation Engineer

23094

October 31, 1952

RE: Permit No. 23094

Mr. Lloyd A. Bennett
Vay
Idaho

Dear Mr. Bennett:

We return your check on the Bank of North Idaho, which
was returned for insufficient funds and which you have replaced
with postal money order in the same amount.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

23094

BANK OF NORTH IDAHO

PRIEST RIVER, IDAHO

October 18, 1952

W. W. von CANON
PRESIDENT

RE: Permit #
23094

E. N. Humphrey
Deputy State Reclamation Engineer
Boise, Idaho

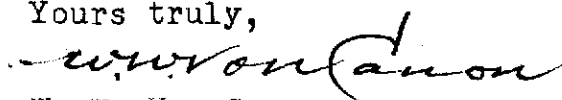
Dear Mr. Humphrey:

Mr. Lloyd A. Bennett
has just shown us your letter addressed
to him under date, Oct. 13, 1952, concern-
ing the above permit # 23094.

We are awfully sorry
that Mr. Bennett's check was returned to
you. Had it come to the attention of the
writer, the check would have been paid.

Mr. Bennett is not in the
habit of overdrawing his account. We hope
that it will not be necessary to change his
priority.

Yours truly,



W. W. Von Canon
President

WWVC/mk

23094

RECEIVED
OCT 20 1952

Department of Reclamation

October 20, 1952

✓
RE: Permit No. 23094

Mr. Lloyd A. Bennett
Vay
Idaho

Dear Mr. Bennett:

Your air-mail letter of October 15, 1952, enclosing postal money order for \$5.50 to take up your returned check reached the office this morning, and in the same mail we received a letter from Mr. W. W. Von Canon, President of the Bank of North Idaho, in which he stated that if the matter had come to his attention the check would not have been returned.

In view of the circumstances, your permit No. 23094 will be continued in good standing with the original priority date as shown thereon.

We shall return your original check within a few days, as soon as the matter has been cleared with the State Treasurer.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

A:fg

23094

RECEIVED
OCT 20 1952

Department of Reclamation

Vay Idaho
15 Oct 1952

Mark R. Kulp.
Dept of Reclamation
Boise, Idaho.

Dear Sir,

I am terribly sorry about the check in connection with Permit No. 23094. I thought I had sufficient funds in the bank till they notified me with a note & my bank statement there is sufficient funds now. However rather than delay any longer enclosed is a money order for \$5.50 for filing fees.

It is highly urgent that my priority remain as it is because of conditions here.

It is completely heart breaking & disappointing to work & sweat for a year & a half to get proper information

+ authority to get a Permit
then get the back seat by
a technicality such as the
check.

I assure you it is the first
time & will be the last!

Wont you please reconsider
the last statement in your
letter.

Sincerely
Lloyd A. Bennett.

P.S. Please return the check to
me

L. A. Bennett

October 13, 1952

RE: Permit No. 23094

Mr. Lloyd A. Bennett
Vay
Idaho

Dear Mr. Bennett:

Your check for the \$5.50 filing fees in connection with Permit No. 23094 has been returned to the State Treasurer's office marked "insufficient funds."

This invalidates your whole filing and it will be necessary to give you a later priority, even when you make good the check.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:fg

23094

INTER-DEPARTMENT MEMO--1

DATE October 13, 1952

FROM E. N. Humphrey

TO Lucie Throckmorton

SUBJECT Permit No. 23094

Here are forms for adjustment in connection with the check sent in by Mr. Lloyd A. Bennett.

This method of handling this is used because there is a possibility that sooner or later the department, or a member of the department, may become liable to court action because of injury done to some party other than the one making the filing in case controversy arises over a filing between two parties.

23094

SIGNATURE

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 23094

Date October 3, 1952

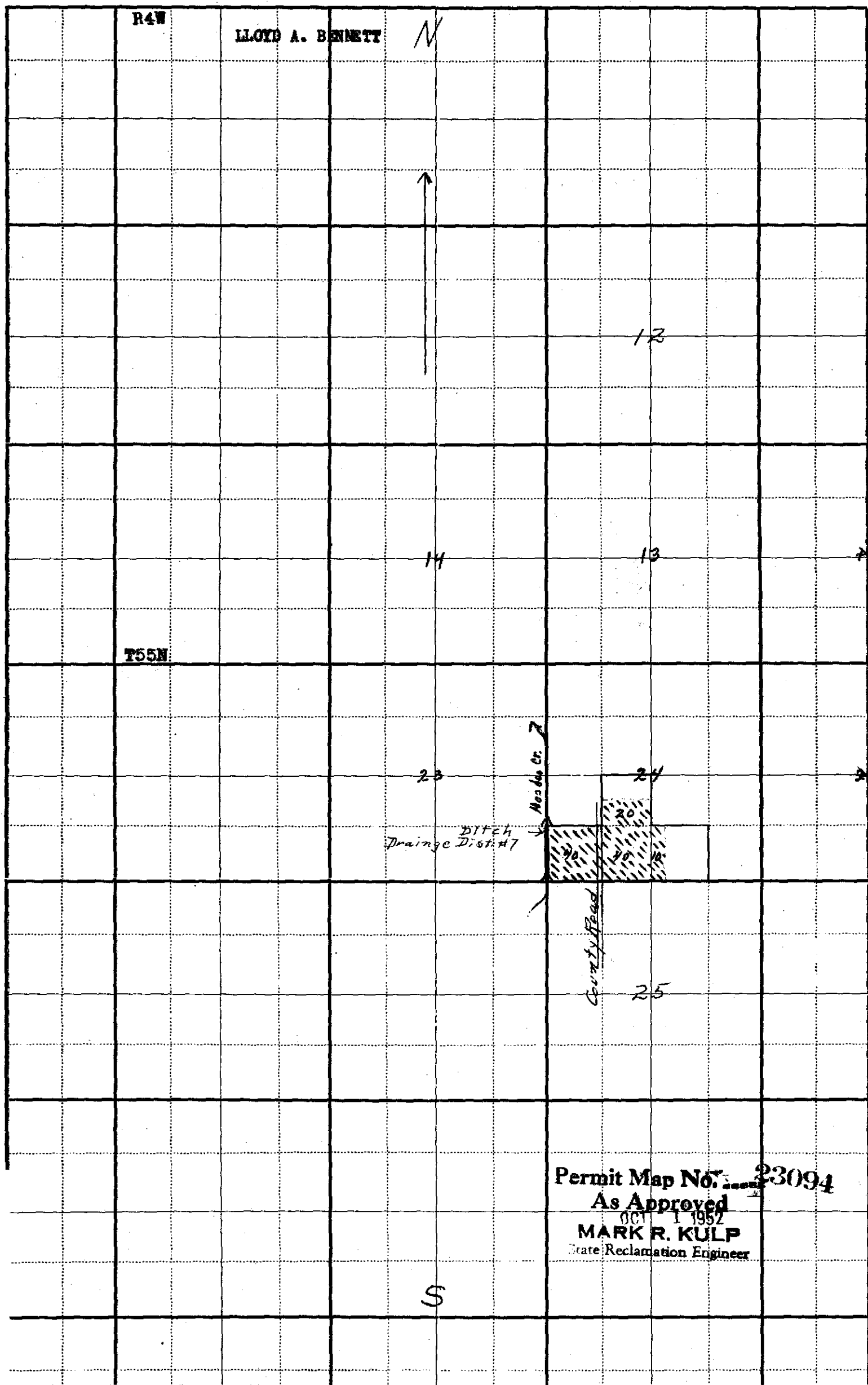
We enclose herewith the above numbered permit. BE SURE AND
NOTE LIMITATIONS AND CONDITIONS OF SALE as given under approval of the
State Reclamation Engineer, on the fourth page.

Mr. Lloyd A. Bennett
Vay
Idaho

MARK R. KULP
State Reclamation Engineer

Enc. Departmental receipt No. 24932 for \$5.50 filing fee.

23094



CERTIFICATE

This is to certify that, according to the records of
DRAINAGE DISTRICT #7, all water charges and assessments
against the land within said district owned by LLOYD A.
BENNETT and DOROTHY L. BENNETT, his wife, have been
paid in full to date.

Dated this 30 day of April, 1952.

DRAINAGE DISTRICT #7

By Elihu V. Jernan
Secretary

23094

RECEIVED
SEP 27 1952
Department of Reclamation

May Idaho
28 Sept 1952

Mark Kulp
Dept of Reclamation
Boise Idaho

Dear Sir,

In receipt of your letter
of Sept 19 in regards to water
right & permission to pump water
from Haddoo Drainage dist No 7.

In going thru my papers
I found a duplicate permit
to the one I sent to Mrs Collins
this one made for me because
at the time we were preparing
to install a sprinkler.

Enclosed is said permit
& certificate that water charges are paid.

Sincerely

Lloyd A Bennett

P.S. If you dont need certificate
please send it back.

September 19, 1952

Mr. Lloyd A. Bennett
Vay
Idaho

Dear Mr. Bennett:

We acknowledge receipt of your letter of September 15, 1952, accompanied by your application to appropriate water from Hoodoo Creek to take the place of the application heretofore filed by Mrs. Delta Fay Collins and others.

No blanket permission to file on the waters of Hoodoo Creek (or drainage ditch of District No. 7) has been received in this department, and if such was the case it would not be acceptable, as individual permission must be filed with each separate application.

After considerable correspondence with Mrs. Collins in an effort to obtain permission to accompany her application, this department addressed a letter to Mrs. Esther V. Inman, Secretary of Drainage District No. 7, in response to which Mrs. Inman sent written permission for Delta F. Collins, Olive M. Edmister, and Martha E. Schermerhorn to take water from the drainage ditch.

This department will require either an assignment from Mrs. Collins of her interest in the former filing, or permission from Drainage District No. 7, for you to take water from the ditch.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

A:fg

23094

RECEIVED

SEP 18 1952

Department of Reclamation

Pay Idaho
15 Sept. 52

Mark R. Kulp.
Department of Reclamation
Boise Idaho

Dear Sir;

In reference to your letter of Sept 11 in regards to my purchase of property from Mrs. Delta Page Collins & others and water permit, may I ask how many times does a man have to send in permission to pump water from the Hoodoo Drainage District No 7.?

All the paper work that Mrs Collins has sent in regards to this was requested & obtained by me including a permit to pump water signed by Ester Inman the Sec. of the ditch. It should be in your office now. However in addition

Mrs. Luma informed us at the meeting that a blanket permit was on its way there for everybody to pump who so desire too.

Please check your records again & see if the permit is not already there. I obtained it last spring & sent it to Mrs. Collin to forward to you.

I would like to get this matter settled.

Sincerely
Lloyd A. Bennett.

23094

September 11, 1952

Mr. Lloyd A. Bennett
Vay
Idaho

Dear Mr. Bennett:

We are in receipt of your letter of September 8, enclosing your check for \$5.50, and stating that you have purchased the property described in the application of Delta F. Collins and others, and would like the permit made in your own name.

We have made a new form of application in your own name, which is identical with the one previously filed. This application should be signed by you on the line indicated on the third page and returned to this department with permission from Drainage District No. 7 to pump water from Hoodoo Drainage Ditch.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

23094

Vay Idaho
8 Sept 1952

Mark R. Kulp.
Dept. of Reclamation
Boise, Idaho.

Inclosed is letter from you
to Mrs. Collins in regards to water
right on Drainage District No. 7.

In view that I have pur-
chased this property from them
please make out permit to
me.

Inclosed is necessary fee
for filing.

Sincerely
Lloyd A. Bennett
Vay, Idaho.

23094

RECEIVED
SEP 11 1952
Department of Reclamation

July 9, 1952

Mrs. Delta F. Collins
Box 122
Colville, Washington

Dear Mrs. Collins:

As you know, we have been holding the application of yourself and others for permit to appropriate water from Drainage District No. 7, awaiting permission from said district.

We now have on file permission signed by the Secretary of Drainage District No. 7 and are in a position to approve the application and issue permit.

However, the check for the \$5.50 filing fee which accompanied the application is dated December 1, 1951, and since that is so long ago we are returning the check with the request that you substitute for it a current check in the same amount.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.



LEN JORDAN
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

July 9, 1952

Mrs. Delta F. Collins
Box 122
Colville, Washington

Dear Mrs. Collins:

As you know, we have been holding the application of yourself and others for permit to appropriate water from Drainage District No. 7, awaiting permission from said district.

We now have on file permission signed by the Secretary of Drainage District No. 7 and are in a position to approve the application and issue permit.

However, the check for the \$5.50 filing fee which accompanied the application is dated December 1, 1951, and since that is so long ago we are returning the check with the request that you substitute for it a current check in the same amount.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Jeanne L. Anderson
Chief Clerk

A:fg
Enc.

23094

PERMIT

Go. Dettie F. Collins, Olive M. Edmister,
Martha E. Schermerhorn.
Drainage District No. 7 of Bonner County, Idaho does hereby

grant permission to

to extract and pump water from a drainage district ditch at any such
places that said person may have permission of the adjoining and abut-
ting land owners and holders to do so; provided, however, that said
person or his agents and employees shall not at any time allow said
equipment used to extract or pump water from said ditch to interfere
with or obstruct the flowage of the water in said ditch at any time.

Date:

DRAINAGE DISTRICT No. 7

BY *Lois V. Tanner, Secy*

BY *Roy McElvaine*

RECEIVED
JUL 3 1952
Department of Reclamation

23094

June 25, 1952

Mrs. Esther V. Inman, Secretary
Drainage District No. 7
Edgemere, Idaho

Dear Mrs. Inman:

We have on file the application of Delta F. Collins, Olive M. Edmister, and Martha E. Schermerhorn, to appropriate 2.20 second feet of water from Drainage District No. 7 (Hoodoo Creek).

We understand, from a letter received from Mrs. Collins, that the district will furnish written permission. If that is the case, we would appreciate having such written permission from you to accompany this application.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

23094

March 12, 1952

Mrs. Delta F. Collins
Box 122
Colville, Washington

Dear Mrs. Collins:

We have your letter of March 8, 1952, in regard to your application for permit to appropriate water from Drainage District No. 7 and note that written consent of the district will be forwarded before long.

The reason we have not cashed your check which accompanied the application is because it is difficult to obtain a refund in the event the application is not approved, if the check has already been deposited.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

23094

RECEIVED
MAR 12 1952

Department of Reclamation

Colville, Washington
Feb. 8, 1952

State of Idaho
Department of Reclamation
Mark R. Kulp, State Reclamation Engineer

Dear Sir,

Reference to your letters of Jan. 16 and March 5th. We are still interested in obtaining a permit to appropriate water from Drainage District No. 7.

Please file our application until we can get a written consent from Drainage District No. 7. This I understand is being taken care of at this time but do not know how long it will take.

Will you please cash my check and send me a receipt for payment.

Yours truly,

Mrs. Delta Fay Collins

23094

March 5, 1952

Mrs. Delta F. Collins
Box 122
Colville, Washington

Dear Mrs. Collins:

We have had no reply to office letter addressed you on January 16, 1952, in which we advised you that before we could approve the application of yourself and others to appropriate water from Drainage District No. 7, it was necessary to have written consent of the district.

Please advise if you are still interested in obtaining this permit.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

23094

January 16, 1952

Mrs. Delta F. Collins
Box 122
Colville, Washington

Dear Mrs. Collins:

We have your letter of January 12, 1952, in reply to office letters addressed you in regard to the application of yourself and others to appropriate 2.20 cubic feet per second of water from Drainage District No. 7.

It is the policy of this department not to approve applications for permit out of a constructed drain without written permission from the owners of the drain.

Since we have no information regarding the blanket authority mentioned in your letter, we shall withhold approval of this application awaiting written consent from the drainage district to take water from their drainage ditch.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

fg

23094

Box 122
Colville, Wash.
Jan, 12, 1952

State of Idaho
Department of Reclamation
Mr. Mark H. Kulp
Boise, Idaho

Dear Sir,

In reference to your letter of Jan. 10, I am sorry to have kept you waiting so long for my answer.

I have been informed by the President of the Drainage District that the Drainage District has provided blanket written authority to take water out of the ditch for irrigation under legally issued water rights and that such authority had been sent prior to my application which you have on file.

Possibly this authority is now on file in your office and if you are unable to obtain sufficient authority from the above mentioned source or are unable to locate it, will you please inform me and I will then again take the matter up with the Drainage District.

I want to thank you for interest in writing me,

Yours truly,

Delta Fay Collins

Delta Fay Collins

23094

RECEIVED
JAN 16 1952
Department of Reclamation

January 10, 1952

Mrs. Delta F. Collins
Box 122
Colville, Washington

Dear Mrs. Collins:

Under date of December 4, 1951, we wrote you advising that the application of yourself, Olive M. Edmister and Martha E. Schermerhorn could not be approved until you furnished written permission from Drainage District No. 7, to take water from their drainage ditch.

Perhaps you have overlooked this matter, but if the application is to be approved, this permission is necessary.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

23094

December 4, 1951

Delta F. Collins
Box 122
Colville, Washington

Dear Madam:

We acknowledge receipt of the application of yourself, Olive M. Edmister and Martha E. Schermerhorn to appropriate water from Drainage District No. 7, accompanied by V. L. Collins' check for the \$5.50 filing fee.

Since this application is to take water from a drainage ditch belonging to Drainage District No. 7, before it can be approved it will be necessary for you to furnish written permission from the district.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

23094

October 8, 1951

Mrs. Della Fay Collins
Box 122
Colville, Washington

Dear Mrs. Collins:

In reply to your letter of October 5, 1951, we enclose an application for permit to appropriate the public waters of the State of Idaho, together with the pamphlet giving regulations and instructions in regard to filing same.

When this application is approved, it will be signed by the proper State Officials and sent you as a use permit under which you may proceed with the construction of the work described in the application. In order to complete your water right, two proofs are required as follows:

First, proof of completion of works which is made by affidavit before a Notary Public. The time required for making this proof should be stated under Question 12 in the application.

The final proof is made when the water has been completely applied for irrigation or whatever purpose it is intended. Notice of such proof must be published for four consecutive weeks in a county newspaper at your expense, and at the time set for proof, depositions are to be executed by yourself and two witnesses in proof of such beneficial use. The additional time required for making this proof should be stated under Question 13 of the application.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

23294

RECEIVED
OCT 8 1951
Department of Reclamation

Colville, Washington
Box 122
Oct. 5, 1951

State of Idaho
Department of Reclamation
Boise, Idaho

Gentlemen,

I would like an Application
for Permit to appropriate the Public Water from a drainage ditch
for the purpose of irrigation in Bonner County, Idaho.

And oblige,

Mrs. Delta Fay Collins

23094

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

Notice is hereby given that at 2:00 P.M. on the 25th day of September, 1963, at Sandpoint, County of Bonner, State of Idaho, before Raymond T. Greene, proof will be submitted of the application to beneficial use of 2.20 cubic feet per second of the waters of Drainage District No. 7 (Hoodoo Creek) in accordance with the terms and conditions of Permit No. 39094 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and post office address of the person or corporation holding said permit: Lloyd A. Bennett, Route 1, Priest River, Idaho.

The use to which said water has been applied is Irrigation (Sprinkler).

The amount applied to beneficial use is 0.50.

The point of diversion of said water is SW $\frac{1}{4}$ /SW $\frac{1}{4}$ of Section 24, Township 55 North, Range 4 West B. M.

The place where said water is used (Legal Description): 23 acres in the SW $\frac{1}{4}$ /SW $\frac{1}{4}$ and the north 26 acres of the SE $\frac{1}{4}$ /SW $\frac{1}{4}$, all in Section 24, Township 55 North Range 4 West, B.M.

The date of priority which said user is prepared to establish is September 18, 1952.

CARL E. TAPPAN,
Acting State Reclamation Engineer
a15-22-29-s5

NOTICE TO CREDITORS