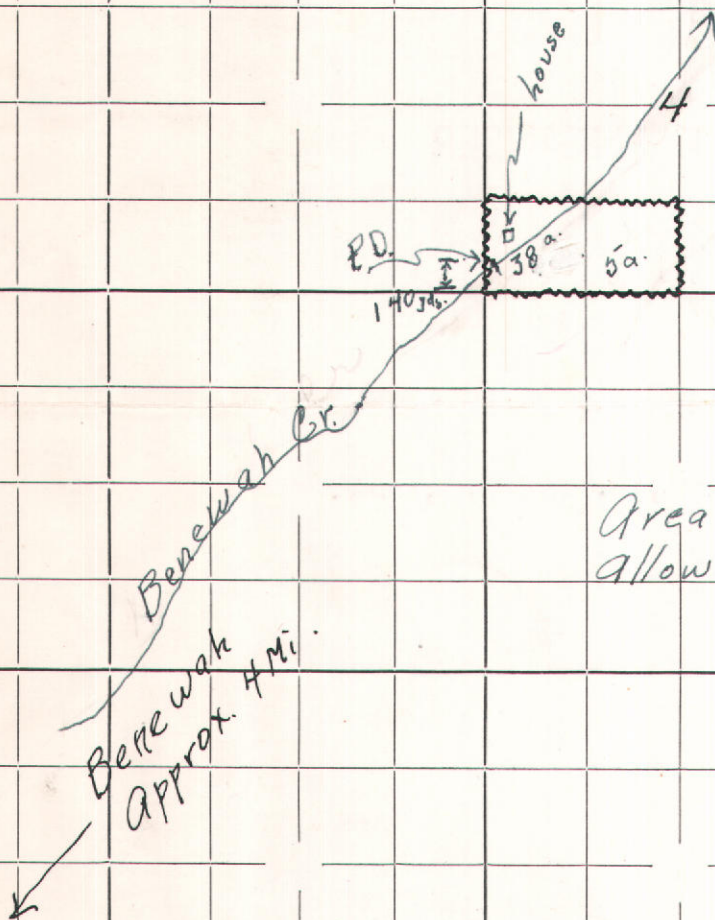




T 45 N. R 3 W.



Area = 43 acres.
allow 43 inches

AFFIDAVIT OF PUBLICATION

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

J. Lewis Papes, being first duly sworn on oath, deposes and says that he is publisher and business manager of The St. Maries Gazette-Record, a weekly newspaper printed and published at St. Maries, Benewah County, State of Idaho; The St. Maries Gazette-Record is a newspaper having general circulation in Benewah County, State of Idaho, and has been continuously and uninterruptedly published in Benewah County, State of Idaho, during a period of more than seventy-eight consecutive weeks prior to the first publication of the notice of advertisement hereon.

That the notice, of which the one hereto attached is a true copy, was published in said paper for a period of four issues, the first publication being on the 6th day of September, 1951 and the last on the 27th day of September, 1951

That said newspaper was regularly distributed to its subscribers during the time of said period; that said notice was published in the regular and entire issue of said paper.

Subscribed and sworn to before me this 29 day of Sept 1951

W. D. L. L. L. L. L.
Notary Public in and for Benewah County, Idaho.
Residing at St. Maries, Idaho.

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 a. m. on the 28th day of Sept., 1951, at St. Maries, County of Benewah State of Idaho, before Marjorie C. Smith, Notary Public, proof will be submitted of the application to beneficial use of 1.6 cubic feet per second of the waters of Benewah Creek and tributaries in accordance with the terms and conditions of Permit No. 21653 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are James Dorigatti, St. Maries, Idaho.

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

The amount applied to beneficial use is eighty inches or 1.6 second feet.

The place where said water is used, South Half of Southwest Quarter (S $\frac{1}{2}$ SW $\frac{1}{4}$) of Section 4, Twp. 45 N., R. 3 W. B. M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is Dorigatti Ditch.

The right to take water from such works is based on Permit No. 2153.

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

The date of priority which said user is prepared to establish is August 1, 1950.

MARK R. KULP,
State Reclamation Engineer.
49-4tc

21653

State of Idaho
License and Certificate of Water Right

Water License No. 21653 Amount 0.86 second foot
Water District No. Priority August 1, 1950

THIS IS TO CERTIFY that JAMES DORGATTI
of St. Maries, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated August 1, 19 50 ; that Permit No. 21653
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.6 second feet, was issued thereunder on August 22, 19 51, showing that said works
were completed on the 9th day of August, 19 51; and that on the 28th
day of September, 19 51,

JAMES DORGATTI
of St. Maries, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Benewah Creek &
tributaries, a tributary of Chatcolet Lake, for the purpose of irrigation
, under Use Permit No. 21653 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
8 of Licenses at page 4976, on the 23rd day of August, 19 52 ;
The right hereby confirmed dates from August 1, 19 50 ;

The Point of Diversion is located
in the SW 1/4 SW 1/4, Sec. 4, Tp. 45 N., R. 3 W., B.M. Benewah 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 0.86 cubic foot per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
45 N.	3 W.	4	SW 1/4 SW 1/4 SE 1/4 SW 1/4	40 40	38 5
			Number of Acres Actually Irrigated	-	43

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
23rd day of August, 19 52.

(SEAL) E. N. HUMPHREY
Deputy State Reclamation Engineer

State of Idaho
License and Certificate of Water Right

Water License No. 19553 Amount 0.7 second foot
Water District No. Priority October 20, 1944

THIS IS TO CERTIFY that JEAN WALLEN
of Copeland, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated October 20, 1944; that Permit No. 19553
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
two second feet, was issued thereunder on November 10, 1949, showing that said works
were completed on the 20th day of October, 1949; and that on the 20th
day of October, 1951,
JEAN WALLEN
of Copeland, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Meadow
Creek, a tributary of Moyie River, for the purpose of irrigation
, under Use Permit No. 19553 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
8 of Licenses at page 4975, on the 23rd day of August, 1952;
The right hereby confirmed dates from October 20, 1944;
The Point of Diversion is located
in the NW 1/4 NE 1/4, Sec. 1, T. 63 N., R. 1 E., B. M. Boundary 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 0.7 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
63 N.	1 E.	1	NW 1/4 NE 1/4) SW 1/4 NE 1/4) NW 1/4 SE 1/4) SW 1/4 SE 1/4)	100	5 30 -- --
Number of Acres Actually Irrigated - 35					

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
23rd day of August, 1952.

(SEAL) E. N. HUMPHREY
Deputy State Reclamation Engineer

Nº 21653
92-2016

APPLICATION FOR PERMIT
To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 29365
PERMIT No. 21653
DISTRICT No.

Cope R. Gale
St. Maries, Idaho

1. Name of Applicant: JAMES DORGATTI

Postoffice address: St. Maries

County: Benewah

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: 80 inches or 1.6 cubic feet per second.

3. Source of water supply: Benewah Creek and tributaries which is a tributary of Chatcolet Lake

4. Location of point of diversion: 700 feet distant from the Southwest

corner of Section 4, T. 45 N., R. 3 W., B.M., and is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$

of Section 4, T. 45 N., R. 3 W., B.M., County of Benewah

5. Water is to be used for 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: \$ 400.00

8. Kind of works: Pump and ditch

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 $3\frac{1}{2}$ feet; depth of water $2\frac{1}{2}$ feet;
dimensions of flume:

Diameter of pipe inches; length of conduit 100 feet miles.

Average grade per mile 5 feet.

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

13. The time required for the complete application of the water to the proposed use is One 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: None that are known

- (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 herein set forth.

Applicant.

Agent.

Returned to applicant for correction: August 1, 1950

Corrected application received: August 11, 1950

Approval of State Reclamation Engineer

Recorded in Book 77 Page 21653 Approved August 11, 1950

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 **October 11, 1950**

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 February 11, 1951

The whole of said work to be completed on or before August 11, 1951

Beneficial use of water appropriated in accordance herewith, to be made on or before August 11, 1952

WITNESS My hand this 11th day of August, 1950

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, C. A. ROBINS, Governor of the State of Idaho,

and J. D. "CY" PRICE 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 11th.....

day of August 1950

STATE OF IDAHO

Countersigned:

(SEAL)
By J. D. "CY" PRICE

By C. A. ROBINS Governor.

REMARKS:

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	
45 N.	3 W.	4									40 40								80
APPLICATION FOR AMENDMENT TO PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO, NO. 21653																			
Comes now James Dorigetti 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. 21653;																			
That the point of diversion is described in said Permit as being located 700 feet distant from the SW corner of Sec. 4, Twp. 45 N., R. 3 W. B. M., and conveyed to the place of use through the Dorigetti ditch, as per map filed herewith.																			
That he now requests that the point of diversion be changed to include a point located 100 yards distant from the above diversion point, and conducted to the place of use through the Dorigetti ditch, as per map above referred to.																			
That his reasons for desiring to make such change are as follows: Less expensive to divert from this point.																			
That no one will be injured by such change, and that such change will be made at Permit holder's own risk.																			
Signed at St. Maries this 20 day of August, 1951.																			
Date of receipt at Department of Reclamation August 22, 1951.																			
James Dorigetti																			

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. 21653. 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.

MARK R. KULP
State Reclamation Engineer

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that JAMES DORGATTI of St. Maries, County of Benewah, and State of Idaho, the holder of Permit No. 21653, issued upon Application No. 29365 bearing date of priority of August 1, 1950, authorizing the diversion of 1.6 second feet of the waters of Benewah Creek and tributaries, County of Benewah, State of Idaho, for irrigation 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 1.6 second feet of the waters of Benewah Creek and tributaries; that the two points of diversion of said waters are 100 yards apart and in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 4, Twp. 45 North, Range 3 West, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 4, Township 45 North, Range 3 West, B.M.

Witness my hand this 22nd day of August, A. D. 1951.

MARK R. KULP
State Reclamation Engineer

Proof of completion of works made August 9, 1951
Certificate of Completion of works issued August 22, 1951

LICENSE ISSUED FOR 1.81 SEC. FT.

pg. 4976

August 6, 1959

Re: Permit No. 21653

Mr. James Dorgatti
Route #1
St. Maries, Idaho

Dear Mr. Dorgatti:

Any water right can be declared abandoned in District Court if an appropriator from the same source of water supply, with a later priority, can prove to the District Judge that the water right had been intentionally abandoned for a period of time of five years or more.

It would not be necessary to use the water every year, if the weather was such that irrigation was not necessary. It would seem, if irrigation is necessary, that you would want to use the full amount of water.

If your water right is of any value, it should be used on all occasions when irrigation of your crops would be beneficial. The general rule though is not to divert water except for a beneficial use. This above is just an answer to the average case. Each case has its own peculiar conditions that may make considerable difference.

Your question is really one that should be asked of an attorney after you have given him all the details in your particular case.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

GNC:RT:ew

21453

RECEIVED

AUG 5 1959

Department of Reclamation

21653

St Maui, Idaho

Aug 4, 1959

State of Idaho Department of Reclamation

State House

Boise, Idaho.

Dear Sir:

I'm writing you in regard to my
License & Certificate of water rights.

I would like some information
on holding my Certificate.

will you please answer my questions

Do I have to draw water ever year?
if not can I go without drawing
water three years?

do I have to draw my full share which
is 0.86 cubic feet per second?

my License no is 21653. year 1952 Aug 23.

Please let me know as soon as possible

R+1

St Maui Idaho

Yours truly
James Dougath

August 13, 1954

Mr. James Dorigatti
Route 1
St. Maries, Idaho

Dear Mr. Dorigatti:

We wish to acknowledge receipt of your letter of August 10, 1954, relative to your water right of the waters of Benawah Creek.

You state that it was your understanding that you had the first water right in the Creek according to your filing in this Department, and you wish to know if Jess Stinchomb has a right to take all the water in said Creek under his filing.

Our records disclose the following:

That you have a License right No. 21653 for .86 cubic foot per second with priority of August 1, 1950.

Lloyd Hodgson has permit filing No. 22512 for .30 cubic foot per second with a filing date of December 8, 1951.

Mr. J. T. Stinchomb has filed a water permit No. 24478 for 1.4 cubic feet per second with a filing date of September 14, 1953.

From the above records, you have the first right to the use of water in Benawah Creek, and under these filings Mr. Stinchomb would have no right to the use of waters of Benawah Creek until your right and the right of Mr. Hodgson have been filled.

We are sending a copy of this letter to Mr. J. T. Stinchomb that he may also know what rights he has in the Creek, and we hope that you neighbors will cooperate with one another in the use of said water.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

T:br
CC: J. T. Stinchomb

31653

RECEIVED

AUG 13 1954

Department of Reclamation

21653

St. Marien Idaho

Aug 10, 1954

Department of Reclamation

State House, Boise Idaho

Dear Sir:

I'm writing you in regards to
my water right to use water of
Beneval Creek tributaries.

my right began August 1, 1950
my permit no is 21653.

I thought I had first right in
water right in Creek and was
first to use water from Creek
but about a month ago a neighbor
begin pumping water from creek
he is taking almost all water
so I can not get my water.
can he do this? or do I have
a right to get the water

I filed on before he can take water
does he have a permit that gives
him the right to take all water
in creek?

The land was owned by William
Crane but was bought by
Jesse Stinchcomb this year.

its in Benewah County Sec 8 - SW⁴
NE⁴ SE⁴ NW⁴ E² SW⁴ NW⁴ SE⁴.

Please advise me what to do as
I need the water.

yours truly
James Dougath

September 2, 1952

RE: Permit No. 21653

Mr. James Dorgatti
Route 1
St. Maries, Idaho

Dear Mr. Dorgatti:

We enclose License and Certificate of Water Right issued under Permit No. 21653, confirming your right to the use of 0.86 second foot of water from Benewah Creek and tributaries, with priority of August 1, 1950, and point of diversion in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 4, Township 45 North, Range 3 West, B.M., for the irrigation of land in the S $\frac{1}{2}$ SW $\frac{1}{4}$ of said Section 4.

We also enclose departmental receipt No. 24802 for the \$4.00 fee paid in connection with proof of beneficial use.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

21653

August 11, 1952

Re: Permit No. 21653

Mr. James Dorgatti
Route 1
St. Maries, Idaho

Dear Mr. Dorgatti:

The report of our Field Engineer on examination for beneficial use on your Permit No. 21653 shows that you have irrigated 43 acres in the S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 4, Township 45 North, Range 3 West, B. M.

Therefore, upon receipt of the statutory fee of \$4.00 a license may be issued for 43 inches or 0.86 second foot of water from Benewah Creek.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

21653

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 21653

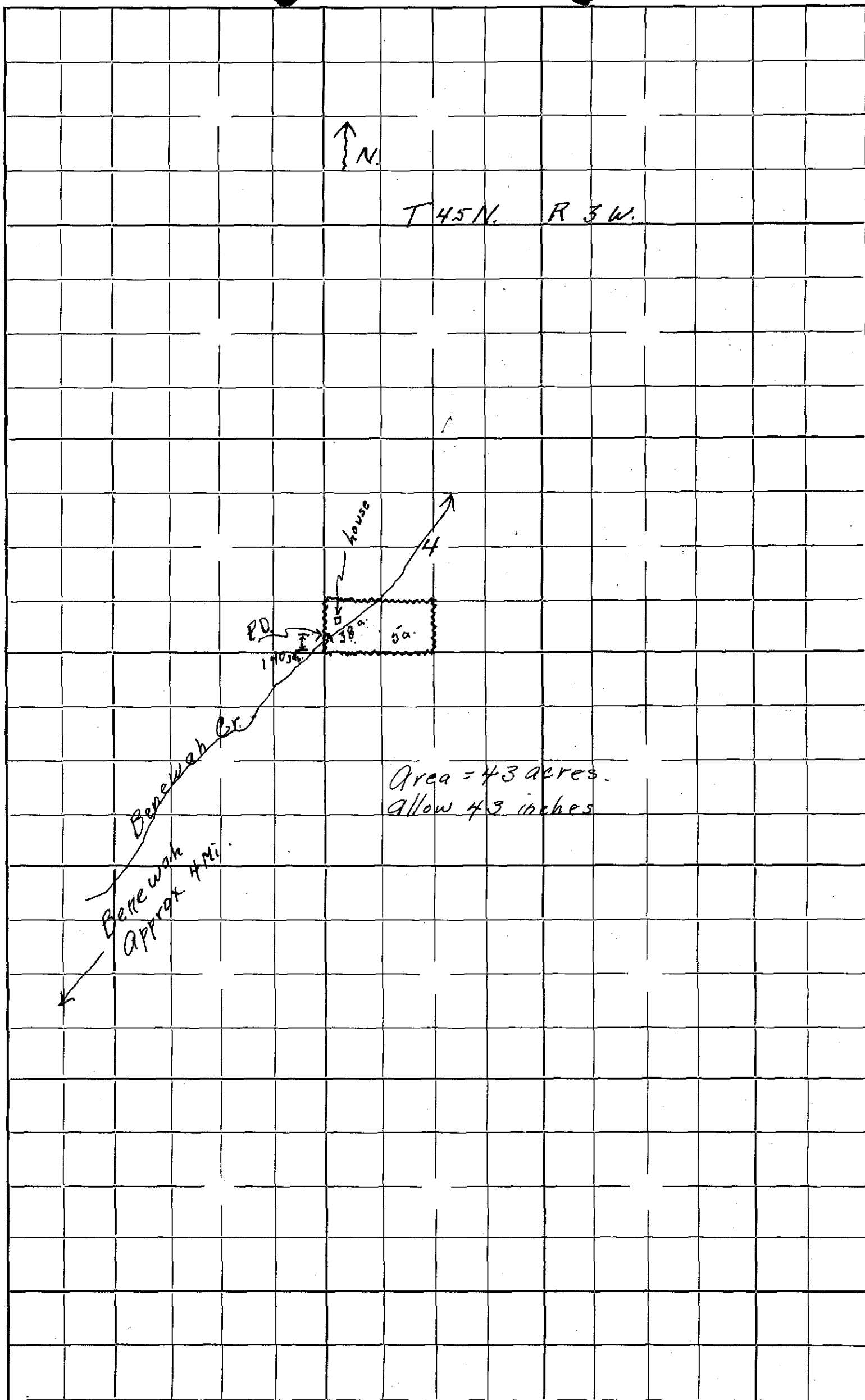
REPORT ON PROOF OF beneficial use

JAMES DORGATTI, Route 1, St. Maries, Idaho

.86 cfs
mrk

app. 1.6 cfs

43 acres
2.40 cfs



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

21653

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

Permit No. 21653This proof is for Beneficial use

In Water District No. _____

1. Name of applicant JAMES DORGATTI, Route 1, St. Maries, Idaho
2. Source of water supply: Benewah Creek and tributaries
3. Location of point of diversion: Is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 4
T. 45 N. R. 3 W. County of Benewah
4. Describe works as they exist, giving dimensions and capacities of same: This system ^{delivers} draws water through a 6" pipe to the high point on the farm and is distributed from there by gravity. Pump is Gardner Denver centrifugal, size 4, type B E, No. 309422. The pump has 6" inlet and 4" outlet. Power is furnished by a Model 70 Oliver Tractor which furnishes an excess of power. Total lift on the West bank is approximately 8' and on the East bank is approx. 35'. There is 600' of 6" steel pipe. Pump is mounted on a portable frame.
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):
S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 4, Township 45 North, Range 3 West, B. M.
See Map

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

8. What large stream would the water here appropriated finally reach? Benewah Lake to Spokane River
- Remarks: Crops are hay and grain.

This examination was made on the 6th day of June, 19 52.(Signed) E. H. Humphrey Examiner.

21653

600' x 6" steel pipe

James Morgatti
Route 1, St. Maries, Idaho
Permit No. 21653

Examination for Beneficial use

County Benewah
43N-3W

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.

Hardner Oliver Centrig
Size 4 type BR # 309722
6" x 4" in & out.

Delivery is thru a 6"
pipe 20' long into irrig-
sketch

Model 70 Oliver Centrig
at 1/2 throttle for pumping.

Total lift 8' approx on W,
" " " 35' on East.

Q = 1.6 cfs.
S. - Benewah Co.

Well
P.D. = 100 yds apart.
in SW 1/4 SW 1/4 S4

Area = 800.
S 1/2 SW 1/4 S4

Priority = Aug 1-30
B. H. due Aug 11-52

May 24, 1952

RE: Permit No. 21653

Mr. James Dorgatti
Route 1
St. Maries, Idaho

Dear Mr. Dorgatti:

I intend to call on you June 6, to make inspection in connection with your Permit No. 21653.

This inspection is required by State Law before License can be issued.

Please be prepared to accompany me on the inspection, or have someone else do it who is familiar with your irrigation system.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:fg

21653

October 2, 1951

RE: Permit No. 21653

Mr. James Dorgatti
Route 1
St. Maries, Idaho

Dear Mr. Dorgatti:

We acknowledge receipt of the depositions of yourself and two witnesses. Also affidavit of publication in the St. Maries Gazette-Record, all submitted in proof of beneficial use under Permit No. 21653.

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 say just when this examination will be made as this department has but one field engineer who makes examinations all over the State.

However, he will try to contact you at the time the examination is made so that arrangements may be made to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

21653

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 21653

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. James Dorigatti, Rt. 1, St. Maries, Idaho, farmer, Rt. 1,
St. Maries, 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. acting for self

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

Ans. No. 21653, Aug. 1, 1950, same date

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

Ans. Benewah Creek, and contributories, which is tributary of Chatcolet Lake, 700 feet distant from the SW corner of Sec. 4, Twp. 45 N., R. 3 W. B. M.

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

Ans. Pump and ditch, 80 inches or 1.6 cubic feet, Dorigatti ditch.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. irrigation, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 4, Twp. 45 N., R. 3 W. B. M., approx.
16 acres, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 4, Twp. 45 N., R. 3 W. B. M., appx. 16 acres

21653

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

Ans. None

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

Ans. _____

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. owner at all times

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

Ans. 80 inches of water, by ditch, thirty days

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

Ans. none

(Sign) James Dergath

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 St. Maries, County of Benewah, State of Idaho, on this 28th day of September, A. D. 19 51,

Marjorie C. Smith

My commission expires Feb. 19, 1955.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 21563

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. Albert J. Johnson, 54, Zehner Ranch, Rt. 1, St. Maries, Idaho,
farmer

Ques. 2. Are you acquainted with James Dorigatti, the holder of Permit No. 21653? How long have you known him and where does he reside?

Ans. yes, known him about six years, he resides at Route 1, Benewah
Route, St. Maries, Idaho, on Benewah road

Ques. 3. Have you read or heard read said Permit No. 21653, 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. Water taken from Benewah Creek, about 700 feet from SW corner
of Sec. 4, Twp. 45, N., R. 3 W. B. M., and second place of diversion
about 100 yards distant, ditches and pump

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. about 80 inches of water, six inch pipe nearly filled.
I have seen full capacity, which will throw about 80 in of water

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. I have seen full capacity, which will throw about 80 inches of
water, or 800 gallons, per second, by visual estimate.

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. irrigation, on both sides of the creek; seeded meadowland, has increased the value of the area and increase the growing capacity of the land

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. None

Ques. 9. (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. Land was dry meadow, all of the water requested, 80 inches

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. None

Ques. 11. 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. This summer, fully irrigated, all summer I have witnessed the irrigating of the land, as I am a neighbor

(Signed)

Albert Johnson

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 St. Maries County of Benewah, State of Idaho, on this 28 day of September, A. D. 1951.

Margaret C. Smith
Notary Public.

My commission expires Feb. 19, 1955.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 21653

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. Georgene B. Shamel, 35, St. Maries, Idaho, housewife, St. Maries, Idaho, 331 College Ave.

Ques. 2. Are you acquainted with James Dorigatti, the holder of Permit No. 21653? How long have you known him and where does he reside?

Ans. Yes, have known him six years, Benewah Route, St. Maries, Idaho on the Benewah road.

Ques. 3. Have you read or heard read said Permit No. 21653, 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. Water taken from Benewah Creek, about 700 feet from southwest corner of Sec. 4, Twp. 45 N., R. 3 W. B. M., and another place about 100 yards distant, water is conveyed by ditches

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. about 80 inches of water, six inch pipe nearly full

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. Full capacity is what I have seen the pump deliver, and figured the six inch pipe would throw 80 inches of water, or 800 gallons per second

$$\frac{800 \times 60}{450} = 107 \frac{2}{3}$$

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. irrigation, on both sides of creek, SW $\frac{1}{4}$ of SW $\frac{1}{4}$ and SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 4, Twp. 45 N., R. 3 W., B. M., about 60 acres, seeded meadowland; definitely increases the value for dairy herd

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. None

Ques. 9. (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. Land was dry land and amount of water they are using would be about right for profitable cultivation.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. None

Ques. 11. 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. This summer, for irrigation, full capacity, and he was irrigating on both sides of creek when I was there; I go to his place quite frequently.

(Signed) Georgene B. Shamel

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 St. Maries, County of Benewah, State of Idaho, on this 28th day of Sept., A. D. 1951.

Margaret C. Smith
Notary Public.

My commission expires Feb. 19, 1955.

AFFIDAVIT OF PUBLICATION

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

J. Lewis Papes, being first duly sworn on oath, deposes and says that he is publisher and business manager of The St. Maries Gazette-Record, a weekly newspaper printed and published at St. Maries, Benewah County, State of Idaho; The St. Maries Gazette-Record is a newspaper having general circulation in Benewah County, State of Idaho, and has been continuously and uninterruptedly published in Benewah County, State of Idaho, during a period of more than seventy-eight consecutive weeks prior to the first publication of the notice of advertisement hereon.

That the notice, of which the one hereto attached is a true copy, was published in said paper for a period of four issues, the first publication being on the 6th day of September, 1951 and the last on the 27th day of September, 1951

That said newspaper was regularly distributed to its subscribers during the time of said period; that said notice was published in the regular and entire issue of said paper.

Subscribed and sworn to before me this 29 day of Sept 1951

Notary Public in and for Benewah County, Idaho.
Residing at St. Maries, Idaho.

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 a. m. on the 28th day of Sept., 1951, at St. Maries, County of Benewah State of Idaho, before Marjorie C. Smith, Notary Public, proof will be submitted of the application to beneficial use of 1.6 cubic feet per second of the waters of Benewah Creek and tributaries in accordance with the terms and conditions of Permit No. 21653 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are James Dorigatti, St. Maries, Idaho.

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

The amount applied to beneficial use is eighty inches or 1.6 second feet.

The place where said water is used, South Half of Southwest Quarter (S $\frac{1}{2}$ SW $\frac{1}{4}$) of Section 4, Twp. 45 N., R. 3 W. B. M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is Dorigatti Ditch.

The right to take water from such works is based on Permit No. 21653.

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

The date of priority which said user is prepared to establish is August 1, 1950.

MARK R. KULP,

State Reclamation Engineer.
49-4tc

21653

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

Re: Permit No. 21653
James Dorigatti

BOISE, IDAHO, September 19, 1951

Marjorie C. Smith
Notary Public
St. Maries, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 21653.....

DEPOSITION OF PERMIT HOLDER,
DEPOSITIONS OF TWO WITNESSES.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of rights:

1. On September 28, 1951....., the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at.....
St. Maries, Idaho..... before Marjorie C. Smith, Notary Public,

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice.

When these have been received, together with report of the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued.

Yours truly.

.....
MARK E. KULP
~~Commissioner of Reclamation~~
State Reclamation Engineer

21653

August 31, 1951

Re: Permit No. 21653

Mr. Cope R. Gale
Attorney at Law
St. Maries, Idaho

Dear Mr. Gale:

We enclose herewith, application of James Dorgatti, to amend Permit No. 21653, which has been approved by the State Reclamation Engineer and duly recorded. We also enclose certificate of completion of works issued under this permit for the diversion of 1.6 second feet of water from Benewah Creek and tributaries, for irrigation of land in the S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 4, Township 45 North, Range 3 West, B.M., together with departmental receipt No. 23693 for the \$5.00 fee in connection with this proof.

We have sent to the St. Maries Gazette-Record, copy of notice of beneficial use proof to be made under this permit on September 28, 1951, with instructions to publish it once a week for four consecutive weeks and to send Mr. Dorgatti the affidavit of publication together with statement of costs.

We shall send Marjorie C. Smith, Notary Public, the necessary forms of deposition to be used in connection with this proof, and at the time set, Mr. Dorgatti should appear before her, with two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, for the purpose of executing the depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.
cc: James Dorgatti

21653

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date: August 29, 1951

Re: Permit No. 21653

St. Maries Gazette-Record

St. Maries, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **September 28**, 1951 the date set for proof, the expense of the publication to be paid by the applicant, **James Dorigatti** of **St. Maries, 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 of the first publication.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

By

Chief Clerk

21653

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

Notice is hereby given that at 10 A. M. on the 23th day of Sept., 1951
 at St. Maries, County of Benewah, State of Idaho, before
Marjorie C. Smith, Notary Public, proof will be submitted of the
 application to beneficial use of 1.6 cubic feet per second of the waters of Benewah Creek
and tributaries in accordance with the terms and conditions of Permit No. 21653
 heretofore issued by the State Reclamation Engineer of the State of Idaho.

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

James Dorigatti, St. Maries, Idaho

The use to which said water has been applied is irrigation

The amount applied to beneficial use is eighty inches or 1.6 second feet.

The place where said water is used ~~for irrigation, give full and exact description of the lands irrigated~~

South Half of Southwest Quarter (S $\frac{1}{2}$ SW $\frac{1}{4}$) of Section 4,

Twp. 45 N., R. 3 W. B. M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is

Dorigatti Ditch

The right to take water from such works is based upon Permit No. 21653

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

The date of priority which said user is prepared to establish is Aug. 1, 1950

Mark R. Kueh

State Reclamation Engineer.

21653

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) August 20, 1951

(P. O.) St. Maries, 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
St. Maries Gazette-Record of St. Maries, Idaho published in
the county in which the works are situated.

James Dorigatti
James Dorigatti

(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.

21658

✓
August 13, 1951

Re: Permit No. 21653

Mr. Cope R. Gale
Attorney at Law
St. Maries, Idaho

Dear Mr. Gale:

We acknowledge receipt of your letter of August 9, enclosing affidavit of James Dorigatti, in proof of completion of works on Permit No. 21653, accompanied by your check for the \$5.00 filing fee.

We note the statement that there are two points of diversion about 1/4 mile apart. The application and permit only describe one point of diversion in the SW 1/4, Section 4, Township 45 N. Range 3 W. BM. If an additional point of diversion is desired, application for amendment to the permit should be filed on form enclosed.

We shall await your further advice before issuing certificate of completion of works.

In order to make proof of beneficial use, the law requires that a notice be published once a week for four consecutive weeks prior to the date set for making proof. This notice should be made in duplicate on Form 10, setting time and place, and naming the Notary Public before whom the proof is to be made.

Both copies of Form 10 should be returned to this department together with Form 11, which is authorization for us to have the notice published at permit holders expense in the designated county newspaper. We shall then send a copy of the notice to the newspaper with instructions in regard to publishing and shall send you the necessary forms of deposition to be used in making the proof.

Very truly yours,

MARK R. YULP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

R:fg
Enc.

21653

COPE R. GALE
ATTORNEY AT LAW
PHONE 89
ST. MARIES, IDAHO

RECEIVED
AUG 11 1951

August 9, 1951.

Department of Reclamation

In re: Permit No. 21653

Mark R. Kulp,
State Reclamation Engineer,
Boise, Idaho.

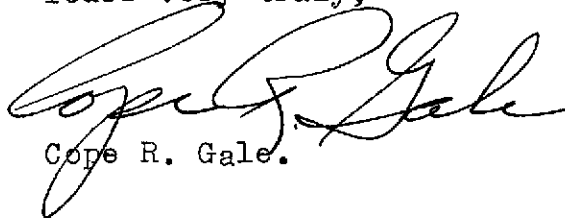
Dear Sir:

I enclose herein proof of completion of works, and application for certificate of completion, together with check for \$5.00.

Inc. check

Yours very truly,

CRG-S
Enc.


Cope R. Gale.

P. S. Please send application for proof of putting water to beneficial use.

CRG

21653

Permit No. 21653STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Benewah

SS.

James Dorigatti, 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 21653, and that his postoffice address is St. Maries, Rt. 1, State of Idaho.Second: That the name of the stream which said water is to be ~~directed~~ ^{DIVERTED} is Benewah Creek.Third: That the point of diversion of said water is 700 feet distant from the SW corner of Sec. 4, Twp. 45 N. R. 3 W. B. M., and is on the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 4, Twp. 45 N. R. 3 W. B. M., Benewah County, Idaho.Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Aug. 11, 1951.Fifth: That the use for which said water is intended is irrigation.Sixth: That on the date above mentioned, the works constructed under said permit were (~~or were not~~) fully completed and consisted of the following:I. Kind of works: pump and ditches
(Reservoir, dam, ditch, flume, pipe or otherwise)II. Dimensions of work: check, 3 ft. high(a) Height of dam 3 feet, length of dam at top 3 feet, length of dam at bottom 3 feet. Material used in construction check

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir 3 acre feet.(c) Size of headgate: Width 3 feet, height 3 feet.(d) Conduit 3 ft. width at bottom 2 $\frac{1}{2}$ feet, width at water line 3 feet.
(State whether ditch, flume or pipe)feet, depth of water 6 feet; diameter of pipe 150 inches, average grade per mile is 150 feet. Length of conduit is 150 feet.Seventh: That said works are capable of conducting to the place of intended use 1.6 cu. ft. second feet of water.Eighth: That water appropriated under said permit is available for 65 acres of land described as follows: S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 4, Twp. 45 N. R. 3 W. B. M.

Ninth: Remarks: That there are two points of diversion, about one-fourth mile apart.

James Dorigatti
(Sign Here)Subscribed and sworn to before me this 9th day of August, 1951.My commission expires July 29, 1953

Notary Public.

21653

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Mr. James Dorgatti

Boise, Idaho **June 1, 1951**

St. Maries, Idaho

Dear Sir:-

Under the terms of your Permit No. 21653 you are required to complete your diversion works on or before August 11, 1951. 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 R. KULP

State Reclamation Engineer

21653

August 17, 1950

Re: Permit No. 21653

Mr. Cope R. Gale
Attorney at Law
St. Maries, Idaho

Dear Mr. Gale:

We enclose Permit No. 21653 in the name of
James Dorgatti, together with Departmental Receipt No.
22582 for the \$5.25 filing fee.

We direct Mr. Dorgatti's attention to the
limitations and conditions as given on the fourth page
under approval of the State Reclamation Engineer.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

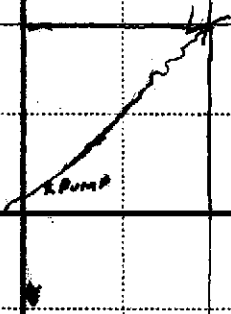
Chief Clerk

A:bh
Enc.

21653

NAME OF APPLICANT.....

Form No. 0



Permit Map No. **21653**
As Approved
AUG 11 1950
MARK R. KULP
Reclamation Engineer

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



C. A. ROBINS
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

August 1, 1950

RECEIVED
AUG 11 1950

Department of Reclamation

Mr. Cope R. Gale
Attorney at Law
St. Maries, Idaho

Dear Mr. Gale:

We acknowledge return of the application of James Dorgatti for Permit to appropriate 80 inches of water from Benewah Creek, accompanied by his check for \$24.75.

However, the correct filing fee on this amount is \$5.25, being at the rate of \$5.00 for the first cubic foot per second (or 50 inches) and \$.25 for each additional cubic foot per second or fraction thereof.

We therefore return Mr. Dorgatti's check for \$24.75 and request that you substitute for it, a check for \$5.25, made to the order of the State Department of Reclamation.

We also note that Question 14 of the application describes 80 acres in the $S\frac{1}{2}SE\frac{1}{4}$ of Section 4. The sketch map shows the $S\frac{1}{2}SW\frac{1}{4}$ of this Section. As the well is located in the $SW\frac{1}{4}SW\frac{1}{4}$, we assume that Question 14 is in error and the $S\frac{1}{2}SW\frac{1}{4}$ should be the correct description. Please advise as to this.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By

Jeannie L. Anderson
Chief Clerk

A:bh
Enc.

The correct description should be $S\frac{1}{2}SW\frac{1}{4}$. Check for \$5.25 enclosed.

Cope R. Gale.

21 10 13

July 25, 1950

R

Mr. Cope R. Gale
Attorney at Law
St. Maries, Idaho

Dear Mr. Gale:

We enclose the application of James Dorgatti for the following correction:

Question 14 should give the acres to be irrigated in each 40 acre subdivision, and the sketch map should show the land to be irrigated either by coloring or cross-hatching.

The filing fee should accompany the application at the rate of \$5.00 for the first cubic foot per second, and \$.25 additional for each additional cubic foot per second or fraction thereof.

We note that the application is for 200 inches, but you understand that the maximum allowed by statute is one inch per acre for the acreage to be irrigated.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn
Enc.

216513

July 5, 1950

Mr. Cope R. Gale
St. Maries, Idaho

Dear Mr. Gale:

In reply to your letter of June 28, 1950, we enclose a form of application for permit to appropriate the public waters of the State of Idaho, together with 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:bn
Enc.

2/10/51

June 28, 1950
St. Maries, Idaho

Department of Reclamation
State House
Boise, Idaho

Gentlemen:

Please send me application forms for the State
of Idaho permit to appropriate water from a natural
stream.

Yours very truly,


Cope R. Gale

RECEIVED
JUL 5 1950
Department of Reclamation

21653

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

Notice is hereby given that at 10 a. m. on the 28th day of Sept., 1951, at St. Maries, County of Benewah, State of Idaho, before Marjorie C. Smith, Notary Public, proof will be submitted of the application to beneficial use of 1.6 cubic feet per second of the waters of Benewah Creek and tributaries in accordance with the terms and conditions of Permit No. 21653 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are James Dorigatti, St. Maries, Idaho.

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

The amount applied to beneficial use is eighty inches or 1.6 second feet.

The place where said water is used, South Half of Southwest Quarter (S $\frac{1}{2}$ SW $\frac{1}{4}$) of Section 4, Twp. 45 N., R. 3 W. B. M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is Dorigatti Ditch.

The right to take water from such works is based on Permit No. 21653.

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

The date of priority which said user is prepared to establish is August 1, 1950.

MARK R. KULP,
State Reclamation Engineer.

49-4tc

9-6-51