

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	
		7									9			10					19
											8	1							

19

19

Applicant holds a decreed right from the waters of Herd Creek.
These waters will be used on land above the ditch of applicant.

U.S. Dept. of Interior-BLM

U.S. Dept.
applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks The lands to be irrigated are in an area of light rainfall and water requirements are slightly higher than normal for lands of similar character. The springs mentioned seldom reach Herd Creek except during periods of runoff and can be put to beneficial use by applicant by surface flooding or gravity sprinkling.

Q = See original transcript letter

VOBB30AFR

Rge - 18E

Rge - 19E

T
9
N

1 2

place of use
only



*

Diagram of System

**NOTICE OF
APPLICATION FOR WATER**

Notice is hereby given that James R. Bennetts has on October 5, 1967 applied for permit to divert .50 cubic feet per second of water from unnamed springs which are tributaries of Herd Creek-East Fork of the Salmon River under application No. 72-7003. Water will be diverted by plastic pipes within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7, T. 10 N, R. 18 E, B.M. and SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 12, T. 10 N, R. 17 E, B.M., Custer County and is to be used from January 1st to December 31st for domestic purposes and from April 1st to October 30th for irrigation in the E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 7, T. 10 N, R. 18 E, B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON

State Reclamation Engineer
Published in The Challis Messenger, Challis, Idaho, on November 2 and November 9.

75'

USE - NWSE 7 9N-19E
SESE 12 9N-18E
USE - NE SW 7-9N-19E
Irrigation - E 1/2 SW-9N-18E

Map U.S. Geological Survey Map
Bowery Peak, Idaho
N 44100-W 11415/7.5
AMS-3172 111 SE Series U 893
1963

72-7003

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 72-7003 Priority Oct. 5, 1967 Amount 0.04 cfs

THIS IS TO CERTIFY, that JAMES R. BENNETTS
of Challis, Idaho, has complied with the terms and conditions of Permit
No. 72-7003 issued pursuant to Application for Permit dated October 5, 1967,
and has submitted proof to the Department of Water Resources on February 3, 1975,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.04 cfs of water from an unnamed spring,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Domestic</u> from <u>Jan. 1</u> to <u>Dec. 31</u> at <u>0.04</u> cfs and <u>1.2</u> acre feet			
_____ from _____ to _____ at _____ cfs and _____			
_____ from _____ to _____ at _____ cfs and _____			

(both dates inclusive)

Subject, however, to the condition that no more than 0.04 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1.2 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 7,
Twp. 9 N, Rge. 19 E, B. M. in the County of Custer

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
9 N	19 E	7									X								

Total number of acres irrigated _____

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 9 day of
October, 19 76.

Director

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF REMOVAL OF THE MEASURING)
DEVICE REQUIREMENT FOR PERMIT NO. 72-7003)
in the name of JAMES R. BENNETTS)

ORDER

WHEREAS, on October 5, 1967, James R. Bennetts applied to the Department of Water Resources (formerly the Department of Water Administration) for a permit to appropriate .50 cubic feet per second of water from unnamed springs, tributary to Herd Creek, East Fork Salmon River, within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7, Twp. 9N, Rge. 19E, and the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 12, Twp. 9N, Rge. 18E, B.M., Custer County, to be used for domestic and irrigation purposes; and,

WHEREAS, on February 2, 1968, the Department approved said application and issued Permit No. 72-7003 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before February 1, 1973, and that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on January 5, 1973, the Department extended the time within which to submit proof of beneficial use for said permit to February 1, 1975; and,

WHEREAS, on February 3, 1975, the Department received the required proof of beneficial use; and,

WHEREAS, it has been determined by the Department that a measuring device is not required at this time for a determination of the quantity of water appropriated

MICROFILMED

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

IN THE MATTER OF Extending the Proof Due)
Date Under Permit No. 72-7003 in the name)
of JAMES R. BENNETTS)

ORDER

WHEREAS, on October 5, 1967, James R. Bennetts filed with the Department of Water Administration (formerly the Department of Reclamation) an application for permit to appropriate 0.50 cubic feet per second of water from unnamed springs within the NW $\frac{1}{4}$ -SE $\frac{1}{4}$, Sec. 7, Twp. 9N, Rge. 19E, B.M. and SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 12, Twp. 9N, Rge. 18E, B.M., Custer County, to be used for domestic and irrigation purposes; and,

WHEREAS, on February 2, 1968, the Department approved said application and issued Permit No. 72-7003 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before February 1, 1973; and,

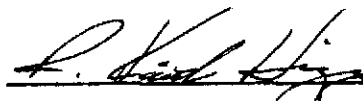
WHEREAS, on December 1, 1972, the Department notified the permit holder that proof of beneficial use was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, on December 11, 1972, the Department received a letter from the permit holder requesting an extension of time within which to make proof of beneficial use; and,

WHEREAS, the Department has reviewed the matter and finds that adequate cause has been shown to grant an extension of time;

IT IS, THEREFORE, HEREBY ORDERED that the time within which to submit proof of beneficial use of water under Permit No. 72-7003 be extended to February 1, 1975.

Dated this 5 day of January, 1973.



R. KEITH HIGGINSON
Director

BDF:DR

72-7003

Identification No. 12-7003
Application No. 42077

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant James R. Bennetts
post office address Challis, Idaho
2. Source of water supply unnamed springs which is a tributary of Herd Creek-East Fork-Salmon River
3. a. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 7 Township 10 N Range 18 E B.M. Custer County; additional points of diversion if any:
* SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 12, Township 10 N, Range 18 E, B.M.
- b. If water is not consumed, it will be discharged into Herd Creek at a point in SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 7 Township 10 N Range 18 E B.M. Approx.
4. Quantity to be appropriated:
 - a. .50 cubic feet per second and/or approx. 12 miners inches from each diversion.
 - b. _____ acre feet per annum will be stored.
5. Water will be used for the following purposes:
Domestic purpose from Jan. 1st to Dec. 31st (both dates inclusive)
Irrigation purpose from April 1st to Oct. 30th (both dates inclusive)
_____ purpose from _____ to _____ (both dates inclusive)
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Plastic pipe approximately 3 $\frac{1}{2}$ " at diversion down to 2" at points of use.
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet; materials used in storage dam: _____
 - c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$ 600.00 Both diversions
8. Description of proposed uses:
 - a. If water is **not** for irrigation:
 - (1) Give the place of use of water: NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 7 Township 10 N Range 18 E, B.M. & SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 7, Township 10 N, Range 18 E, B.M.
 - (2) Amount of power to be generated: _____ hp under _____ feet of head. and the NW $\frac{1}{4}$ SW $\frac{1}{4}$, sec. 7, T. 9 N, R. 19 E, B.M.
 - (3) List number of each kind of livestock to be watered _____
 - (4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.
 - (5) If water is to be used for other purposes describe: Approximately one miners inch of water diverted in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7, Twp. 10 N, Range 18 E, B.M. will be used for domestic purposes- the remainder for irrigation.

* Per corrections of December 12, 1967. See attached letter.

LICENSE ISSUED FOR 0.04 SEC. 17 72-7003

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
1																			
~~TWP 19 N~~ 9 N	~~RANGE 18 E~~ 19 E	7									8	1		10					19

Total number of acres to be irrigated 19

c. Describe any other water rights used for the same purposes _____

~~Applicant holds a decreed right from the waters of Herd Creek.~~
~~These waters will be used on land above the ditch of applicant.~~

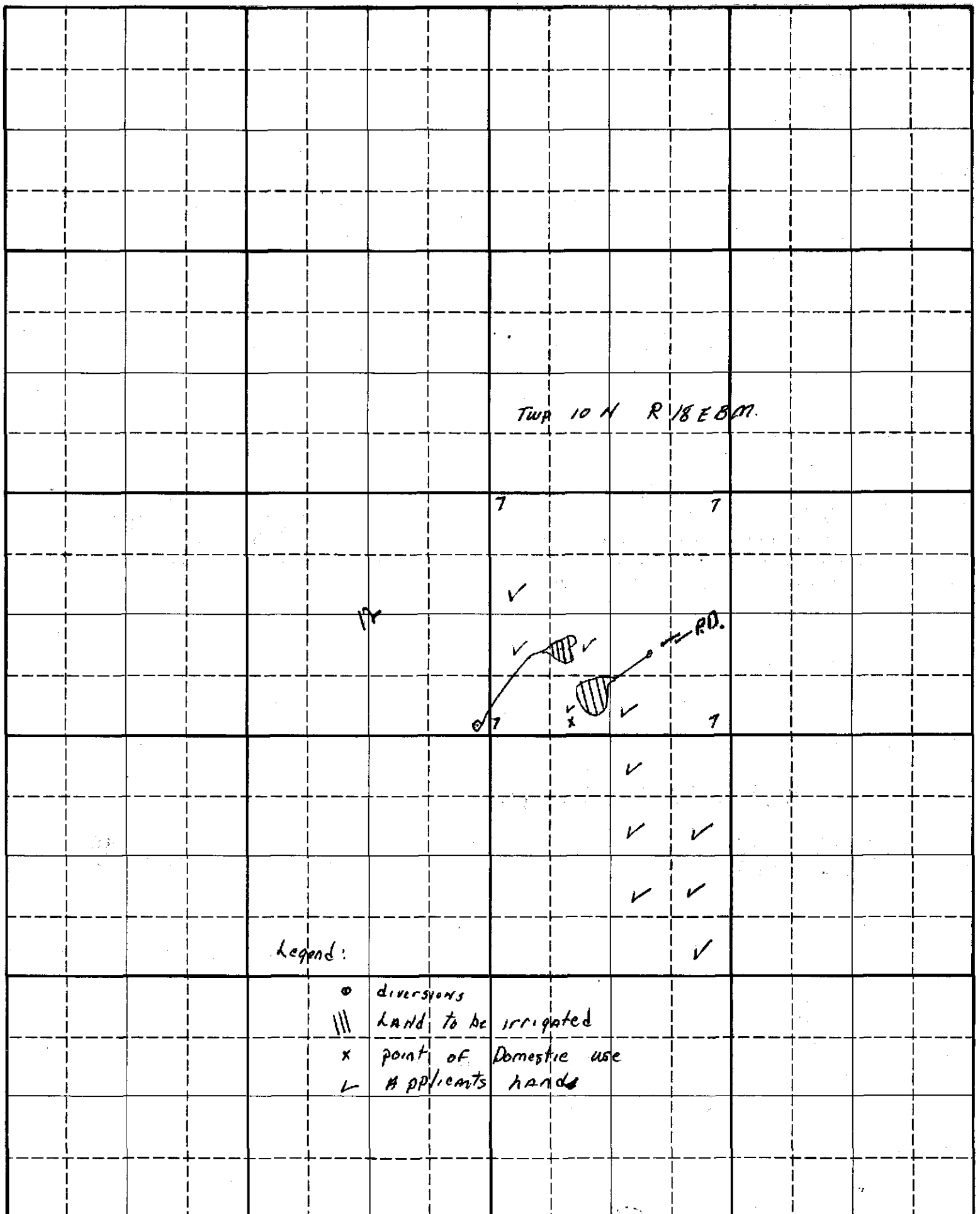
9. a. Who owns the property at the point of diversion U.S. Dept. of Interior-BLM

b. Who owns the land to be irrigated or place of use applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks The lands to be irrigated are in an area of light rainfall and water requirements are slightly higher than normal for lands of similar character. The springs mentioned seldom reach Herd Creek except during periods of runoff and can be put to beneficial use by applicant by surface flooding or gravity sprinkling.

11. Map of proposed project:



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.

James R Bennett
(Applicant)

72-7003

Received by ef Date 10-5-67 Time 1

Preliminary check by DM Fee \$ 10.00

Receipted by ef Date 10-5-67

Publication prepared by KS Date 10-20-67

Published in Challis Messenger

Publication dates 11-2-9 & 1-4-91-68

Publication approved KS Date none

Priority reduced to _____ Reason _____

Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by CS DM R.H.

APPROVED

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 72-7003, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before February 1, 19 73.

c. Other: The applicant shall permanently install a measuring device of a type approved by the department as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 2 day of February 19 68.

R. Keith Higgins
State Reclamation Engineer

Identification No. 72-7003
Application No. 42077

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

*Keep appy!
this*

1. Name of applicant James R. Bennetts
post office address Challis, Idaho
2. Source of water supply unnamed springs which is a tributary of Herd Creek-East Fork-Salmon River
3. a. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 7 Township 10 N Range 18 E. B.M. Custer County; additional points of diversion if any:
SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 12, Township 10 N., Range 18 E., B.M.
9 18
- b. If water is not consumed, it will be discharged into Herd Creek at a point in SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 7 Township 10 N Range 18 E. B.M. Approx.
4. Quantity to be appropriated:
a. .50 cubic feet per second and/or approx. 12 miners inches from each diversion.
b. _____ acre feet per annum will be stored.
5. Water will be used for the following purposes:
Domestic purpose from Jan. 1st to Dec. 31st (both dates inclusive)
Irrigation purpose from April 1st to Oct. 30th (both dates inclusive)
_____ purpose from _____ to _____ (both dates inclusive)
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Plastic pipe approximately 3 $\frac{1}{2}$ "
at diversion down to 2" at points of use.

b. Height of storage dam _____ feet; active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet; materials used in storage dam: _____
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$ 600.00 Both diversions
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 7 Township 10 N.
Range 18 E. B.M. & SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 7, Township 10 N., Range 18 E., B.M.
9 19 + NW $\frac{1}{4}$ SW $\frac{1}{4}$
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____
(5) If water is to be used for other purposes describe: Approximately one miners inch
of water diverted in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7, Twp. 10 N., Range 18 E.,
B.M. will be used for domestic purposes- the remainder for
irrigation.

72-7003

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
10 N	18 E	7									8	1	10						19
9	19																		

Total number of acres to be irrigated 19

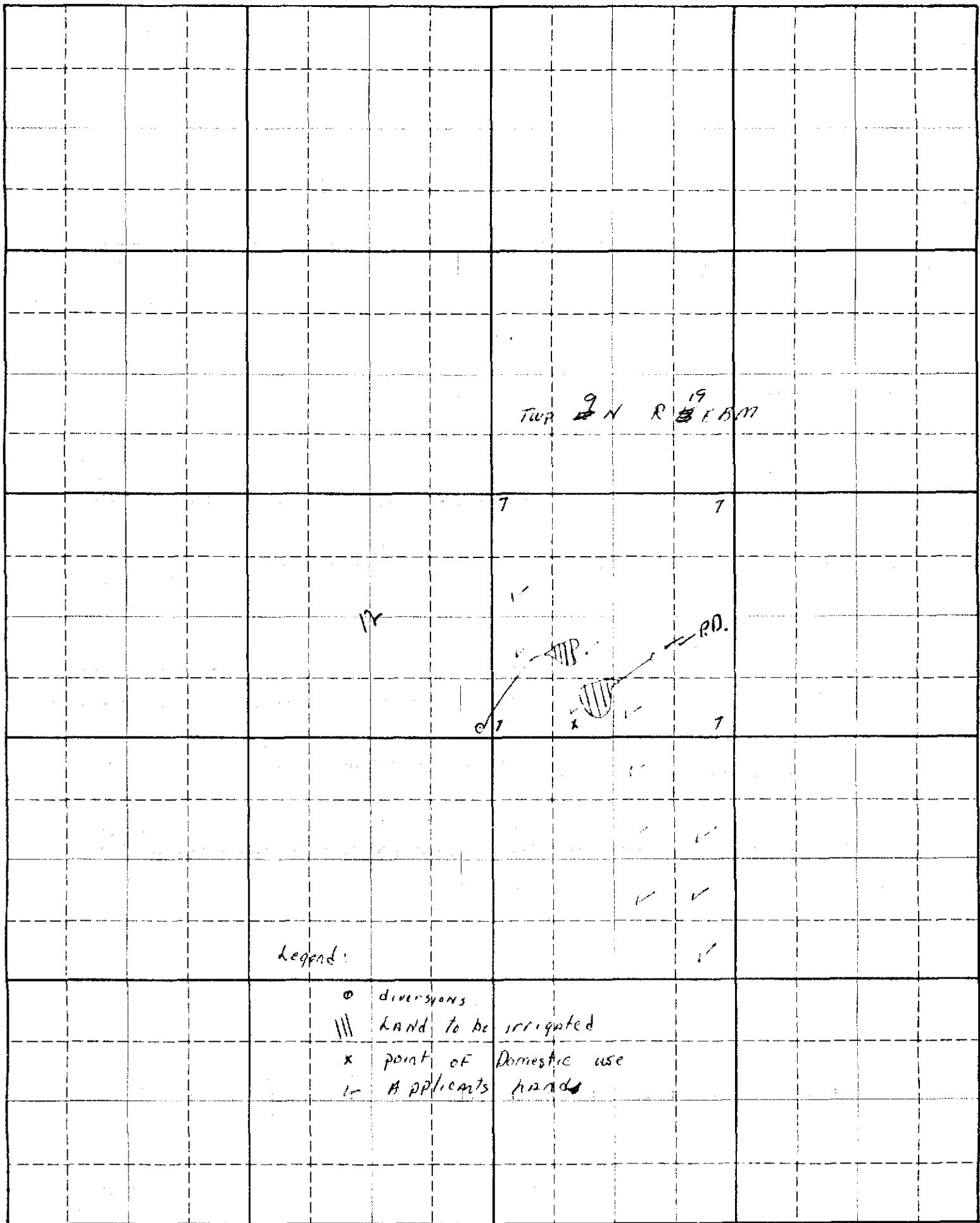
c. Describe any other water rights used for the same purposes _____

Applicant holds a decreed right from the waters of Herd Creek.
These waters will be used on land above the ditch of applicant.

9. a. Who owns the property at the point of diversion U.S. Dept. of Interior-BLM
 b. Who owns the land to be irrigated or place of use applicant
 c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks The lands to be irrigated are in an area of light rainfall
and water requirements are slightly higher than normal for lands
of similar character. The springs mentioned seldom reach Herd
Creek except during periods of runoff and can be put to beneficial
use by applicant by surface flooding or gravity sprinkling.

11. Map of proposed project:



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.

James R Bennett
(Applicant)

Received by _____ Date _____ Time _____

Preliminary check by DK Fee \$ 10.00

Receipted by lf Date 10-5-67

Publication prepared by KS Date 10-20-67

Published in Challis Messenger

Publication dates 11-2-9

Publication approved KS Date none

Priority reduced to _____ Reason _____

Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by _____

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19____.

c. Other: _____

2. Denial of said application is for the following reasons: _____

Witness my hand this _____ day of _____, 19____.

State Reclamation Engineer

**-AFFIDAVIT
OF PUBLICATION**

State of Idaho, }
County of Custer, } ss:

I, Richard Swindell, manager of The Challis Messenger, a weekly newspaper, published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of The Challis

Messenger for 2
consecutive weeks, commencing with the issue
dated January 4, 1968,
and ending with the issue
dated January 11, 1968.,

Richard Swindell

Subscribed and sworn to
before me this 11th
day of Jan, 1968.

Richard Swindell
Notary Public, Residing at
Challis, Idaho.

My Commission expires

9-1-70

**NOTICE OF APPLICATION
FOR WATER**

Notice is hereby given that James R. Bennetts, Challis, Idaho has on October 4, 1967 applied for permit to divert 50 cubic feet per second of water from unnamed springs, tributary of Hurd Creek, East Fork Salmon River under application No. 72-7003. Water will be diverted by plastic pipe within the NW 1/4 SE 1/4, sec 7, T. 9 N, R. 18 E; SE 1/4 SE 1/4, sec 12, T. 9 N, R. 18 E, B.M., Custer County and is to be used from January 1 to December 31 for domestic use, and April 1 to October 30 for irrigation purposes in the NW 1/4 SW 1/4, SE 1/4 SW 1/4, sec 7, T. 9 N, R. 18 E, B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer
Published in the Challis
Messenger, Challis, Idaho, on
January 4 and January 11.

72-7003

AFFIDAVIT OF PUBLICATION

State of Idaho, }
County of Custer, } ss:

I, Richard Swindell, manager of The Challis Messenger, a weekly newspaper, published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of The Challis

Messenger for 2
consecutive weeks, commencing with the issue
dated November 2, 1967,
and ending with the issue

dated November 9, 1967,

Richard Swindell

Subscribed and sworn to
before me this 10th

day of NOV, 1967.

James A. Bennett

Notary Public, Residing at
Challis, Idaho.

My Commission expires

1-2-71

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that James E. Bennetts has on October 5, 1967 applied for permit to divert 20 cubic feet per second of water from unnamed springs which are tributaries of Head Creek East Fork of the Salmon River under application No. 72-7003. Water will be diverted by plastic pipes within the NW 1/4 SE 1/4, Sec. 7, T. 10 N, R. 18 E, B.M. and SE 1/4 SE 1/4, Sec. 12, T. 10 N, R. 17 E, B.M., Custer County and is to be used from January 1st to December 31st for domestic purposes and from April 1st to October 30th for irrigation in the E 1/4 NW 1/4, Sec. 7, T. 10 N, R. 18 E, B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer
Published in The Challis Messenger, Challis, Idaho, on November 2 and November 9.

72-7003

STATEMENT

The Challis Messenger

RICHARD SWINDELL, PUBLISHER
Phone 7R 9-3245 . . . Challis, Idaho

RECEIVED
JAN 15 1968
Department of Reclamation

State Of Idaho
Department Of Reclamation
107 State House
Boise, Idaho 83701

JOB NO.	DATE	DESCRIPTION	AMOUNT
	1-11-68	Legal Publication--Notice Of Application For Water, No. 72-7003	\$7.59
		I hereby certify that the foregoing account is just and correct, that the amount is legally due, after allowing all just credits, and that no part of same has been paid. <i>Richard Swindell</i> Richard Swindell, Publisher The Challis Messenger	

72-7003

STATEMENT

The Challis Messenger

RICHARD SWINDELL, PUBLISHER

Phone 7R 9-3245 . . Challis, Idaho

State of Idaho
Department of Reclamation
107 State House
Boise, Idaho 83701

NOV 15 1967

JOB NO.	DATE	DESCRIPTION	AMOUNT
	11-9-67	Legal Publication--Notice Of Application For Water--72-7003	\$3.84
I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of same has been paid.			
<i>Richard Swindell</i> Richard Swindell Publisher The Challis Messenger			

October 12, 1976

Re: Permit No. 72-7003

James R. Bennetts
P.O. Box 36
Challis, ID 83226

Dear Mr. Bennetts:

Enclosed herewith is a copy of the water right license issued on the above referenced permit.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:mef

Eric.

September 23, 1976

Mr. James R. Bennetts
P.O. Box 36
Challis, ID 83226

Dear Mr. Bennetts:

A representative of this Department has made an examination of the works covered by your Permit No. 72-7003 and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 0.04 cfs Source: an unnamed spring

The maximum quantity diverted shall not exceed 1.2 acre feet per
year.

Point of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7, Twp. 9 N, Rge. 19 E, B.M.

Beneficial use: Domestic purposes within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 7,
Twp. 9 N, Rge. 19 E, B.M.

Priority date established: October 5, 1967

If you do not concur with these findings please contact us within 10 days, otherwise a
water license will be issued as set forth above.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

DEPARTMENT OF WATER ADMINISTRATION

FIELD REPORT

RECEIVED

1. Name of permit holder James R. Bennetts FEB 11 1975
 Post office address P. O. Box 36, Challis, ID 83226 Phone _____
 Person to contact GARY Chapman. (Hired Hand) Department of Water Resources
Southern District Office
Phone _____

2. Source of water supply: Groundwater ☐ Surface water ☒ unnamed springs
 Tributary to Herd Creek-East Fork-Salmon River (name spring, stream, etc.)

3. Water will be used for the following purposes:

Amount .50 c.f.s. for domestic
 _____ AF/Annum (nature of use)

Period of Use: from Jan. 1 to Dec. 31
 (mo.-day) inclusive (mo.-day)

Amount .50 c.f.s. for irrigation
 _____ AF/Annum (nature of use)

Period of Use: from Apr. 1 to Oct. 30
 (mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
 (mo.-day) inclusive (mo.-day)

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion .50 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 9N N/S, Range 19E E/W, B.M., Section 7, Subdivision NW 1/4 SE 1/4, Custer County
 Township 9N N/S, Range 18E E/W, B.M., Section 12, Subdivision SE 1/4 SE 1/4, Custer County
 Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____ County

Other Points of Diversions: _____

Description of diverting works: 3" pipe, 2" pipe, 1" pipe running approx. 2000' to dwelling from spring.

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

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	
9N	19E	7									8	X	1	10	X(domestic)				19
10N	18E	7												X(domestic)					

TOTAL ACREAGE

19

Permit No. 72-7003
b/u
Examination for

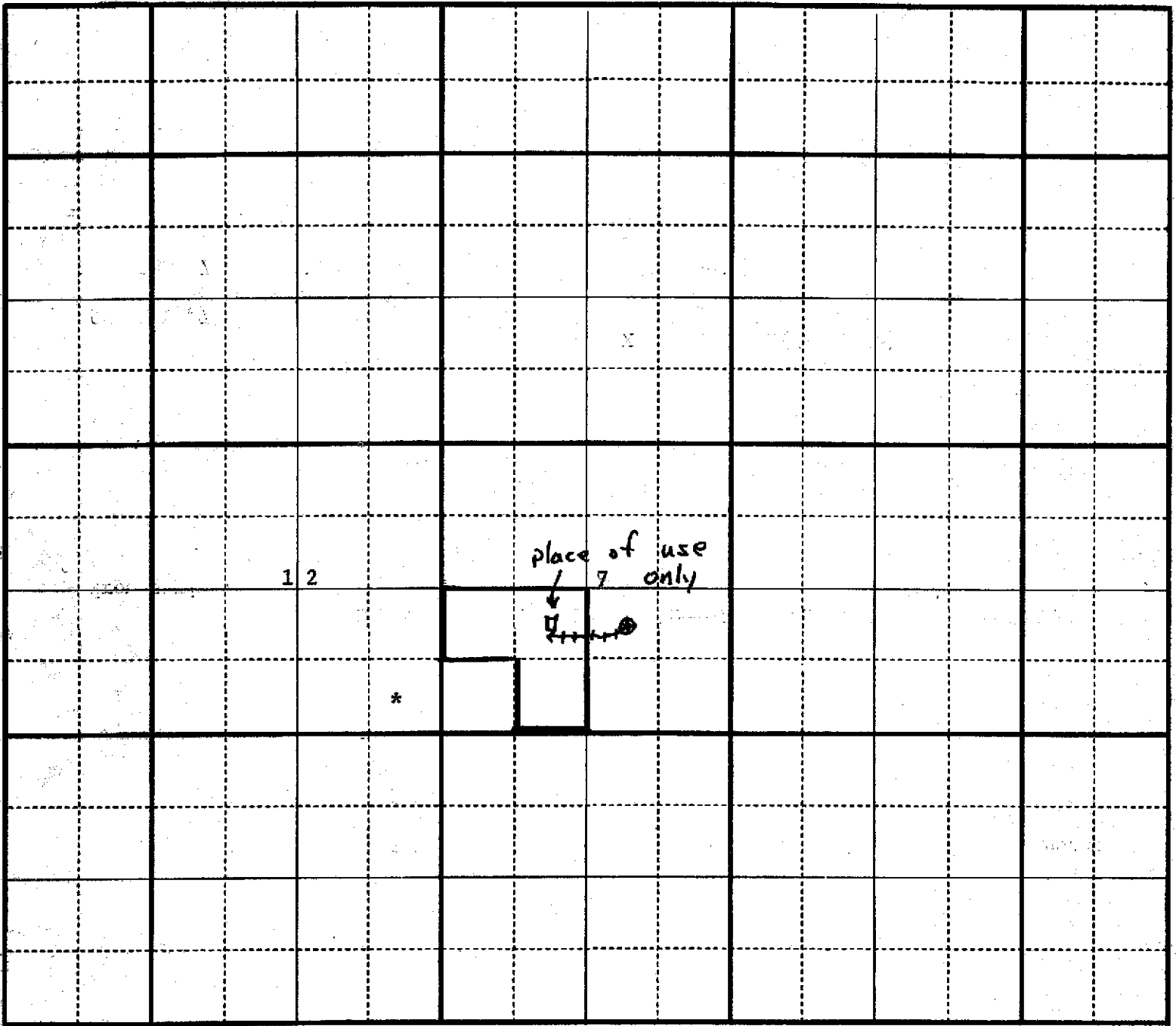
T
9
N

Diagram of System

DATE OF EXAM 8-11-76

ACREAGE

Found ✓
Recommended ✓

Irrigation Requirement 3.0 Ac Ft/Ac

USE

Irrigation Q= NO c.f.s. V= NO AF/Ann. from ✓ to ✓
Domestic Q= .04 c.f.s. V= 1.2 AF/Ann. from Jan 1 to Dec 31
Livestock Q= c.f.s. V= AF/Ann. from to

Is water co-mingled? yes no ✓

Name source:
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4 County

Exchange? yes no ✓

Name source exchanged with:
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4 County

Point of injection:
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4 County

Point of exchange:
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4 County

Total Q measured ✓ Method of measurement ✓

Total Q recommended .04 c.f.s. Meter No. ✓ Type ✓ Condition ✓

Total V recommended 1.2 Ac Ft/ANN.

Recommended Amendments:

P.D. ✓ NW SE, Sec. 7 T.9N-R.19E. Only.
Place of Use ✓ No Irrigation. Dom. NESW, Sec. 7 9N-19E only
Other
None

Dom MEASUREMENT CALCULATION: (See Dept Memo for Domestic use)
Q = .04 c.f.s.
V = 1.2 Ac Ft/ANN.
No Irrigation

SYSTEM DESCRIPTION: 3/4" plastic pipe line is brought from a spring
1/4 mile to its place of use.
Gravity flow to house.

REMARKS:

Examiner's Signature Larry Lundberg Date 8-12-76
Checked by Larry D. Blau Date 8-27-76
Approved by Michael L. Steele Date 9-15-76

February 7, 1975

Re: Permit No. 72-7003

James R. Bennetts
P. O. Box 36
Challis, ID 83226

Dear Mr. Bennetts:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit. Enclosed is an Order which removes the measuring device requirement from this permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell during which part of the irrigation season this examination will be made, but our examiner will try to contact you at the time he makes the exam so that you may show him the system.

If you have any questions concerning the field exam, please contact our Southern District Office in Twin Falls.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:JG
Enclosure

MICROFILMED

Identification No.
Permit No.

FEB 3 1975
T.B.

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder JAMES R. BENNETTS
b) Post Office Address P.O. Box 36, Challis, Idaho 83226
2. Permit Number 72-7003
3. Date of Priority that you are prepared to establish 2 Feb. 1968
4. a) Source from which water was appropriated Spring Gulch
b) Location of the point of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 7
Township 9N, Range 19E Boise Meridian, Other points of diversion:
5. a) The amount of water and use to which the water has been applied:
Amount 2 miners inch for domestic purposes from Jan. 1 to Dec. 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount for purposes from to incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount for purposes from to incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: through pipe using gallonage container and stop watch; measurement taken by Glen Hunt, Soil Conservation Service
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:

b) Describe the agreement or understanding by which you take water from the works:
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 3" pipe, 2" pipe, 1" pipe running approximately 2000 feet to dwelling from spring.

b) Describe the type and size of measuring device which you have installed at your point of diversion: 3" pipe.

c) Give well driller's name and address and the date the well was completed:
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: Domestic use including irrigation of yard area.

MICROFILMED

Exam typed 2/2/75 by

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

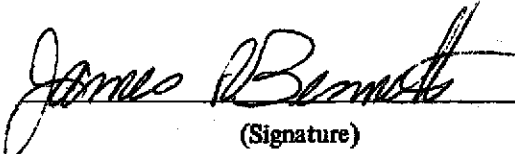
T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres irrigated _____

10. Remarks: The original permit No. 72-7003 contemplated irrigation
from same source. Claimant will file a new permit showing a
different source and point of diversion for the lands to be
irrigated in addition to other adjacent lands.

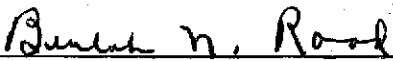
The above information is a true statement of the extent to which the above numbered permit has been developed.

January 30, 1975
(Date)


(Signature)

State of IDAHO)
) ss.
County of Custer)

On this 30th day of January, 19 75, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.


Notary Public residing at Challis, ID. 83226
My Com. Expires: 7-14-76

My commission expires _____

PS Form 3811, Nov. 1973

RETURN RECEIPT

REGISTERED, INS

AND CERTIFIED

● **SENDER:** Complete items 1 and 2.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).
- ☐ Show to whom and date delivered..... 15¢
 - ☐ Show to whom, date, & address of delivery.. 35¢
 - ☐ DELIVER ONLY TO ADDRESSEE and show to whom and date delivered..... 65¢
 - ☐ DELIVER ONLY TO ADDRESSEE and show to whom, date, & address of delivery 85¢

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	26295	

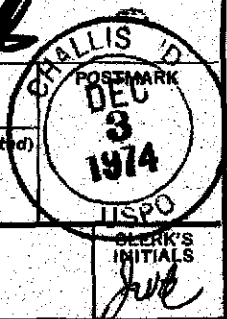
(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE
James Beal
DATE OF DELIVERY

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:



UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

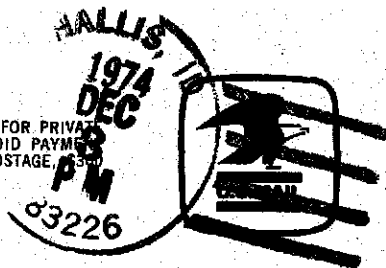
- Complete items 1 and 2 on reverse side.
- Moisten gummed ends and attach to back of article.

**RETURN
TO**



DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$3.00



December 2, 1974

CERTIFIED MAIL

#26295

Re: Permit No. 72-7003

James R. Bennetts
Challis,
Idaho 83226

Dear Mr. Bennetts:

One of the conditions of approval of your water Permit No. 72-7003 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before February 1, 1975. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.

R. Keith Higginson

R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit

MICROFILMED

January 9, 1973

Re: Permit No. 72-7003

Mr. James R. Bennetts
Challis,
Idaho 83226

Dear Mr. Bennetts:

Enclosed please find an Order which extends the time for making proof of beneficial use under the above referenced permit. The time has been extended to February 1, 1975.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enclosure

72 7003

JAMES R. BENNETTS
ATTORNEY AT LAW
CHALLIS, IDAHO 83226

DEPARTMENT OF WATER ADMINISTRATION

R. K. Higginson, Director
Department of Water Administration
Statehouse - Annex #2
Boise, Idaho
83707

Dec. 8, 1972

RE: Water Permit #72-7003

Dear Sir:

The undersigned hereby requests an extension of time in the amount of two (2) years in respect to the above permit. The request is based upon the following:

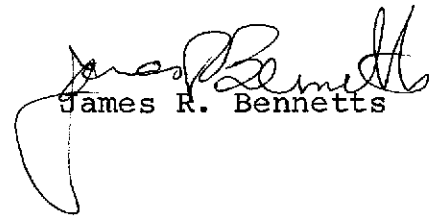
1. Applicant has surveyed and is presently contemplating construction of a ditch system which would greatly revise the use of the waters applied for.
2. Applicant therefore anticipates the filing of a new permit as to certain phases of the system which will encompass more lands.
3. Negotiations with the Bureau of Land Management, U. S. Department of Interior, as to rights of way, are underway in regard to the new system which, if approved, would allow a much more workable system than that sought originally by the above permit.
4. Applicant has spent considerable money and effort in developing some phases of the original system particularly the domestic water use.
5. Applicant, because of the above, feels the need to determine the result of the proposal, effort, and prospect of the new more comprehensive program prior to submitting final proof.
6. Two years would be adequate time to make such determination and complete the work desired under the original permit.

72 7003

Wherefore applicant requests an extension of at least two (2) years in which to finish the work.

Thank you.

Very truly yours,



James R. Bennetts

JRB/bb

72 7003

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)

(Additional charges required for these services)

☐

Show to whom, date and address
where delivered

☐

Deliver **ONLY**
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

CERTIFIED NO.

24175

1

Mrs. Joan Bennett

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

2

Betty Bennett

DATE DELIVERED

SHOW WHERE DELIVERED *(Only if requested, and include ZIP Code)*

3

72 7003

U.S. POSTAL SERVICE
OFFICIAL BUSINESS

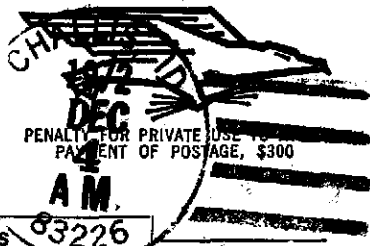
Postmark of Delivering Office

SENDER INSTRUCTIONS

Print in the space below your name, address, including ZIP Code.



- If special services are desired, check block(s) on other side.
- Moisten gummed ends and attach to back of article.



DEPARTMENT OF WATER ADMINISTRATION
STATEHOUSE - ANNEX #2
BOISE, IDAHO 83707

December 1, 1972

CERTIFIED MAIL #2 A175

Re: Permit No. 72-7003

James R. Bennetts
Challis,
Idaho 83226

Dear Mr. Bennetts:

One of the conditions of approval of your water Permit No. 72-7003 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before February 1, 1973. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

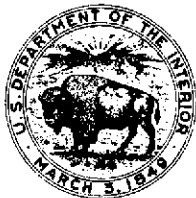
Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



R. KEITH HIGGINSON
Director

Enc: Proof affidavit
dr

72 7003



72-7003

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Idaho Land Office

IN REPLY REFER TO:

LIVBS
I-2131

RECEIVED

NOTICE OF ALLOWANCE

OCT 17 1968

James R. Bennette
Challis, Idaho 83226

Department of Reclamation

Serial No. I-2131 80 Acres

T. 13 N., R. 19 E., Boise Meridian, Idaho
Sec. 22: ~~W1/4~~

Your desert land application for the above described land has this day been approved and allowed, subject to any valid existing rights and your further compliance with laws and regulations applicable thereto. The acceptability of final proof is contingent upon development and reclamation of the land in accordance with your plan of development which is on file in the Boise Land Office. Any substantial change in source of water or deviation in the construction of the irrigating facilities must have the approval of the Bureau of Land Management. The irrigable acreage of this entry has been determined to be approximately 35 acres. In correspondence relating to this entry, always refer to the serial number shown above.

Subject to a right-of-way reservation to the United States along and across the existing road for public access and use.

IN WITNESS WHEREOF, I have hereunto set
my hand and seal this 16th
day of October, 19 68

/S/ CURTIS R. TAYLOR

~~ACTING~~ MANAGER, LAND OFFICE
BOISE, IDAHO

72-7003
cc: State Dept. of Reclamation

February 6, 1968

Re: Permit 72-7003

James R. Bennetts
Challis,
Idaho 83226

Dear Mr. Bennetts:

We enclose a copy of your approved application for permit 72-7003 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kd

Enclosures: Copy of Application
Receipt No. 34054 for \$10.00

**NOTICE OF APPLICATION
FOR WATER**

Notice is hereby given that James E. Bennetts, Challis, Idaho has on October 8, 1967 applied for permit to divert 50 cubic feet per second of water from unnamed springs, tributary of Herd Creek, East Fork Salmon River under application No. 72-7003. Water will be diverted by plastic pipe within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, sec 7, T. 9 N, R. 19 E; SE $\frac{1}{4}$ SE $\frac{1}{4}$, sec 12, T. 9 N, R. 19 E, B.M., Custer County and is to be used from January 1 to December 31 for domestic use, and April 1 to October 30 for irrigation purposes in the NW $\frac{1}{4}$ -SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, sec 7, T. 9 N, R. 19 E, B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Challis Messenger, Challis, Idaho, on January 4 and January 11.

December 27, 1967

Re: Application No. 72-7003

The Challis Messenger
Challis,
Idaho 83226

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you can not publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department of Reclamation, along with the publication bill. In order to receive payment, the following certification must appear on the bill:

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of same has been paid.

(Do not sign letter)

Signature of claimant

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:ks

Enclosure: legal notice

Form 3

72-7003

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that James R. Bennetts, Challis, Idaho
has on October 5, 1967
applied for permit to divert ~~state~~ .50 cubic feet per second ~~acre/foot~~
of water from unnamed springs, tributary of Herd Creek, East Fork, Salmon River
under application No. 72-7003. Water will be diverted by plastic pipe
within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, sec. 7, T. 9 N, R. 19 E;
SE $\frac{1}{4}$ SE $\frac{1}{4}$, sec. 12, T. 9 N, R. 18 E, B.M., Custer County
and is to be used from January 1 to December 31 for ~~xxx~~ domestic use and from
April 1 to October 30 for irrigation purposes
in the N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, sec. 7, T. 9 N, R. 19 E, B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Challis Messenger, Challis, Idaho,
on January 4 and January 11.

72-7003

LAW OFFICES
FUREY, FUREY & BENNETTS
ATTORNEYS AT LAW

JACK B. FUREY
JAMES R. BENNETTS
CHALLIS, IDAHO

DEC 22 1967

Department of Reclamation

SHERMAN F. FUREY, JR.
SALMON, IDAHO

December 21, 1967

Department of Reclamation
107 State House
Boise, Idaho 83701

Attention: Donald W. McEldowney

Dear Mr. McEldowney:

I'm enclosing the copy of the Application for Permit, which I have rechecked. It appears you are absolutely correct in picking up this error. Our plat of the ranch properties erroneously showed the property as being in Township 10, Range 18, rather than Township 9, Range 19. Although the County Assessor has no accurate plat of this property, and although there are apparently no aerial photographs in the County of this property which have been scaled in, I believe that your corrections are absolutely accurate. I would suggest, however, that so long as we have to make a correction, to include in the place of irrigation the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 7, Township 9, Range 19 E., B. M., as there might be a slight overlap into that Quarter.

I'm certainly sorry that our application was incorrectly submitted, and if there are additional charges because of our error, please let us know. If you would prefer that a new application be submitted, we will do so.

I'm enclosing the application with our pencil corrections along with a copy of your letter dated December 19, 1967.

Thank you.

Very truly yours,

FUREY, FUREY & BENNETTS


James R. Bennetts

JRB:ph
Encl. 2

77,7003

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

December 19, 1967

Re: Application 72-7003

James R. Bennetts
c/o Furey, Furey, & Bennetts
Attorneys at Law
Challis, Idaho 83226

Dear Mr. Bennetts:

We are in receipt of your application for permit and are processing the same. A final review of your application for permit has indicated that the public land survey legal description submitted for point of diversion and place of use of the lands irrigated appear to be incorrect. Therefore, we are returning a copy of your original application. We have used as a reference the U.S. Geological Survey Maps, Bowery Peak, Idaho, No. N4400-W11415, 7.5' quad., 1963 edition, Army Map Service, 3172111SE, Series V893.

The Geological Survey Map indicates that the point of diversion could possible be in the NW 1/4 sec. 7, T. 9 N, R. 19 E, B.M. and in the SE 1/4 sec. 12, T. 9 N, R. 18 E, B.M. The place of use could possible be in the NE 1/4 sec. 7, T. 9 N, R. 19 E, B.M. The place of irrigation could possible be in the E 1/2 sec. 7, T. 9 N, R. 19 E, B.M. *ok*
ok
front 1/4 SW 1/4

Your assistance in varifying the correct legal description is appreciated. Please advise us as soon as possible so that we may correct the advertisement and the original application.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Donald W. McEldowney".

Donald W. McEldowney
Water Rights Clerk

DWM:ks

Enclosure: Copy of the application

72-7003

December 19, 1967

Re: Application 72-7003

James R. Bennetts
c/o Furey, Furey, & Bennetts
Attorneys at Law
Challis, Idaho 83226

Dear Mr. Bennetts:

We are in receipt of your application for permit and are processing the same. A final review of your application for permit has indicated that the public land survey legal description submitted for point of diversion and place of use of the lands irrigated appear to be incorrect. Therefore, we are returning a copy of your original application. We have used as a reference the U.S. Geological Survey Maps, Bowery Peak, Idaho, No. N4400-W11415, 7.5' quad., 1963 edition, Army Map Service, 3172111SE, Series V893.

The Geological Survey Map indicates that the point of diversion could possible be in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, sec. 7, T. 9 N, R. 19 E, B.M. and in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, sec. 12, T. 9 N, R. 18 E, B.M. The place of use could possible be in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, sec. 7, T. 9 N, R. 19 E, B.M. The place of irrigation could possible be in the E $\frac{1}{2}$ SW $\frac{1}{4}$, sec. 7, T. 9 N, R. 19 E, B.M.

Your assistance in varifying the correct legal description is appreciated. Please advise us as soon as possible so that we may correct the advertisement and the original application.

Very truly yours,

Donald W. McElldowney
Water Rights Clerk

DWM:ks

Enclosures: Copy of the application

72-7003

**NOTICE OF
APPLICATION FOR WATER**

Notice is hereby given that James R. Bennetts has on October 5, 1967 applied for permit to divert 50 cubic feet per second of water from unnamed springs which are tributaries of ~~Head~~ ^{East} Fork of the Salmon River under application No. 72-7003. Water will be diverted by plastic pipes within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec 7, T. 10 N, R. 18 E, B.M. and SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec 12, T. 10 N, R. 17 E, B.M., Custer County and is to be used from January 1st to December 31st for domestic purposes and from April 1st to October 30th for irrigation in the E $\frac{1}{4}$ SW $\frac{1}{4}$, Sec 7, T. 10 N, R. 18 E, B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KETH HIGGINSON
State Reclamation Engineer
Published in The Challis Messenger, Challis, Idaho, on November 2 and November 9.

NWSE 7 9N-19E

SESE 12 9N-18E

WSE - NW SW 7-9N-19E

Irrigation 7 SW-9N-19E

WSP US Geological Survey Map
Bowery Park, Idaho
N 44.00-106.15/7.5
1963

AMS-3172 NWSE 7-18E 0893

October 20, 1967

Re: Application for Water 72-7003

The Challis Messenger
Challis,
Idaho 83226

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you can not publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department of Reclamation, along with the publication bill. In order to receive payment, the following certification must appear on the bill:

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of same has been paid. (Sign Bill - Not letter)

Signature of claimant

Very truly yours,

Donald W. McElowney
Water Rights Clerk

DWM:ks

Enclosure: legal notice

Form 3

72-7003

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that James R. Bennetts
has on October 5, 1967
applied for permit to divert ~~1.50~~ .50 cubic feet per second ~~1.50~~
of water from unnamed springs which are tributaries of Hard Creek - East,
Fork of the Salmon River
under application No. 72-7003. Water will be diverted by plastic
pipes within the NW 1/4 Sec. 7, T. 10 N, R.
18 E, B.M. and SE 1/4 Sec. 12, T. 10 N, R. 18 E, B.M., Custer County
and is to be used from January 1st to December 31st for domestic purposes and
from April 1st to October 30th for irrigation in the E 1/4 Sec. 7,
T. 10 N, R. 18 E, B.M.

Any protest against this application must be filed with the Department of Re-
clamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the _____,
on Nov 2 and Nov. 9.

72-7003

RECEIVED
OCT 11 1967

LAW OFFICES
FUREY, FUREY & BENNETTS
ATTORNEYS AT LAW

JACK B. FUREY
JAMES R. BENNETTS
CHALLIS, IDAHO

October 10, 1967

SHERMAN F. FUREY, JR.
SALMON, IDAHO

Department of Reclamation
107 State House
Boise, Idaho 83701

Attention: Donald W. McEldowney

Re: Application for permit
James R. Bennetts

Dear Mr. McEldowney:

Please consider this letter in support of my application for permit to appropriate waters in the Herd Creek area, East Fork of Salmon River, Custer County.

I have requested water in excess of one miners inch per acre for the reason that the lands to be irrigated are quite shallow and the soil consists in a large part of heavier and coarse material and the permeability rate of this soil is quite high. I'm satisfied that this soil will require more than the normal usage of water for beneficial production of crop and grass lands.

Very truly yours,


James R. Bennetts

JRB:ph

72-7003

October 6, 1967

Re: Application for Permit

James R. Bennetts
Challis, Idaho

Dear Mr. Bennetts:

We are in receipt of your application for permit to appropriate the public waters of the State of Idaho and personal check in the amount of \$10.00.

As your application is for a quantity of water in excess of 1 miner's inch per irrigated acre and 13,000 gallons a day for domestic use, you are requested to supply the Department of Reclamation with a letter asking for water in excess of 1/50 of a cubic foot per second per irrigated acre and state reasons for your request. You will need this before we can proceed with the processing of your application.

Your prompt attention to this matter will be appreciated.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:nw

72-7003