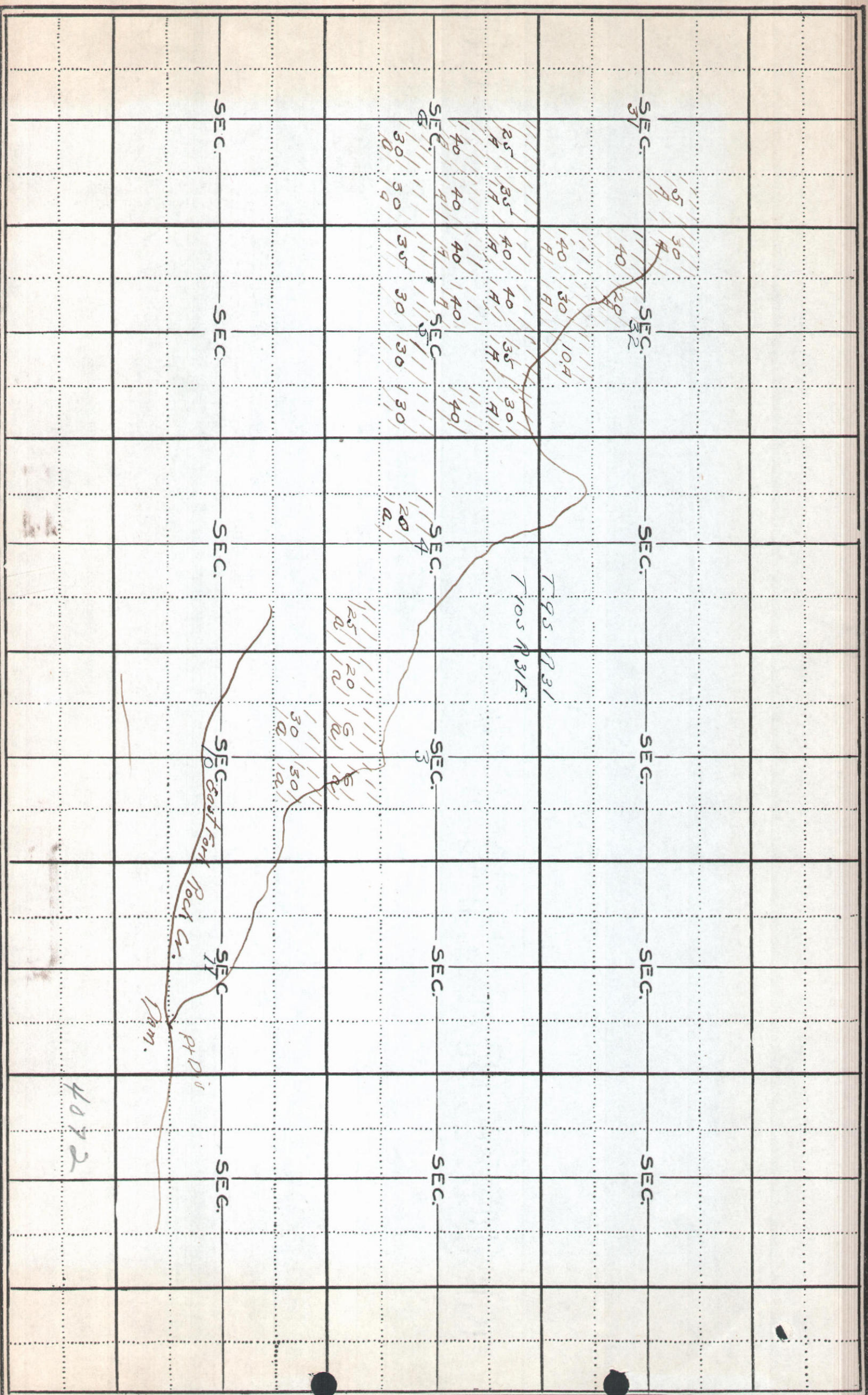


Name of Applicant Bench Ditch Co Permit # 4072



County: Oneida
 Stream: East Fork of Rock Creek.
 Amount: 9 sec. ft.
 Use: Irrigation.
 Priority: Sept. 14-08.

S T A T E O F I D A H O

Water License No. 4072.
 Water District No. 29.

WHEREAS, On the 14th day of September, A. D. 1908, Bench Ditch Irrigation Company, of Rockland, County of Oneida, State of Idaho, duly made application (No. 5670) to me for a permit to use nine (9) cubic feet per second of the waters of the East Fork of Rock Creek, in Water District No. 29, County of Power, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 17th day of October, A. D. 1908, Permit No. 4072 was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 17th day of October, A. D. 1911, and for the application to beneficial use of said water on or before the 17th day of October, A. D. 1913, and,

WHEREAS, On the 20th day of January, A. D. 1912, Bench Ditch Irrigation Company, the holder of said permit duly made proof of the completion of adequate works for the diversion of nine (9) cubic feet per second of said waters, as evidenced by my Certificate No. 4072 dated January 30, 1912, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use nine (9) cubic feet per second of said waters, with date of priority of September 14, 1908, and,

WHEREAS, On the 6th day of October, A. D. 1913, Bench Ditch Irrigation Company, the holder of said permit duly made proof of the application to beneficial use of nine (9) cubic feet per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to the Bench Ditch Irrigation Company, of Rockland, County of Power, State of Idaho, the holder and owner of said Permit No. 4072 a perpetual right, dating from September 14, 1908, to the use of nine (9) cubic feet per second of the waters of the East Fork of Rock Creek, in the County of Power, and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point near the Southeast corner of the NW $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 11, T. 10 S., R. 31 E. B. M., and conducted to and upon 902 acres of land, divided as follows:

T. 9 S., R. 31 E. B. M.

Sec. 31.

5 acres in SE $\frac{1}{4}$ of NE $\frac{1}{4}$

Sec. 32.

30 acres in SW $\frac{1}{4}$ of NW $\frac{1}{4}$

40 acres in NW $\frac{1}{4}$ of SW $\frac{1}{4}$

40 acres in SW $\frac{1}{4}$ of SW $\frac{1}{4}$

Sec. 32, Cont.

20 acres in NE $\frac{1}{4}$ of SW $\frac{1}{4}$ 30 acres in SE $\frac{1}{4}$ of SW $\frac{1}{4}$ 10 acres in SW $\frac{1}{4}$ of SE $\frac{1}{4}$

T. 10 S., R. 31 E. B. M.

Sec. 6.

25 acres in NW $\frac{1}{4}$ of NE $\frac{1}{4}$ 35 acres in NE $\frac{1}{4}$ of NE $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ of NE $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ of NE $\frac{1}{4}$ 30 acres in NW $\frac{1}{4}$ of SE $\frac{1}{4}$ 30 acres in NE $\frac{1}{4}$ of SE $\frac{1}{4}$

Sec. 5.

160 acres in NW $\frac{1}{4}$ 35 acres in NW $\frac{1}{4}$ of SW $\frac{1}{4}$ 30 acres in NE $\frac{1}{4}$ of SW $\frac{1}{4}$ 35 acres in NW $\frac{1}{4}$ of NE $\frac{1}{4}$ 30 acres in NE $\frac{1}{4}$ of NE $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ of NE $\frac{1}{4}$ 30 acres in NW $\frac{1}{4}$ of SE $\frac{1}{4}$ 30 acres in NE $\frac{1}{4}$ of SE $\frac{1}{4}$

Sec. 4.

20 acres in NE $\frac{1}{4}$ of SW $\frac{1}{4}$ 25 acres in SE $\frac{1}{4}$ of SE $\frac{1}{4}$

Sec. 3.

20 acres in SW $\frac{1}{4}$ of SW $\frac{1}{4}$ 6 acres in SE $\frac{1}{4}$ of SW $\frac{1}{4}$ 6 acres in SW $\frac{1}{4}$ of SE $\frac{1}{4}$

Sec. 10.

30 acres in NE $\frac{1}{4}$ of NW $\frac{1}{4}$ 30 acres in NW $\frac{1}{4}$ of NE $\frac{1}{4}$

for the purpose of irrigation and domestic use, subject, however to the laws of the State of Idaho applicable to a license for the use of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 21st day of September, A. D., Nineteen hundred and seventeen.

J. H. Smith,

State Engineer.

(10) Ten acres along the western edge of the west half of NW4.

(3) Three acres of the southwest corner of the NW4 of SE4.

(12) Twelve acres of the NE4 of SW4.

(24) Twenty-four acres of the SE4 of SE4.

Of section four, township Ten south, Range 31, east Boise Meridian.

(20) Twenty acres of SW4 of SW4.

(10) Ten acres along the south side of the south half of SW4.

Of Section Three, Township Ten South, Range 31 East Boise Meridian.

(8) Eight acres in the northeast corner of the NW4 of NW4.

(26) Twenty-six acres in the NE4 of the NW4.

(12) Twelve acres in the NW4 of the NE4.

Of section ten, township Ten South range 31 E. Boise M.

 APPROVAL OF STATE ENGINEER.

The number of this permit is 4072.

Date of first receipt of application 9.10 a.m. September 14, 1908.

Returned to applicant for correction September 14, 1908.

Corrected application received October 12, 1908.

Recorded in Book 11 Page 4072 Approved October 17, 1908.

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 grant the same, subject to the following limitations and conditions:

Work to be in on or before December 15, 1908, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before April 17, 1910.

The whole of said work to be completed on or before October 17, 1911.

The time for proof of beneficial use of water appropriated in accordance herewith, to extend to October 17, 1913.

Witness my hand this seventeenth day of October, 1908.

Jas. Stephenson, Jr.

State Engineer,

Notice of Proof of Completion of Works received November 14th, 1911, fixing January 20th, 1912, as date, and Rockland, Idaho, as place of proof.

Deposition blanks mailed November 22, 1911.

Water Commissioner notified November 23, 1911, to make examination of works.

Report of Engineer received September 28, 1911.

Affidavit of Publication received January 25, 1912.

Depositions received January 26, 1912, also fee.

Certificate issued January 30, 1912

Permit No. 4072

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:

This is to certify that BENCH DITCH IRRIGATION COMPANY, of Rockland, County of Oneida, and State of Idaho, the holder of Permit No. 4072, issued upon Application No. 5670, bearing date of priority of September 14th, 1908, authorizing the diversion of 9 second feet of the waters of the East Fork of Rock Creek, County of Oneida, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 9 second-feet of the waters of the East Fork of Rock Creek, that the point of diversion of said waters is at a point in the Southeast corner of the Northwest quarter of the Southeast quarter ($NW\frac{1}{4}SE\frac{1}{4}$), Section 11, Township 10 South, Range 31 East of the Boise Meridian, and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: $SE\frac{1}{4}NE\frac{1}{4}$, Sec. 31, T. 9 S., R. 31 E., Southern part of $SW\frac{1}{4}NW\frac{1}{4}$, $W\frac{1}{2}SW\frac{1}{4}$, $W\frac{1}{2}NE\frac{1}{4}SW\frac{1}{4}$, Southern part of $SE\frac{1}{4}SW\frac{1}{4}$, SW Cor. $SW\frac{1}{4}SE\frac{1}{4}$, NE Cor. $SE\frac{1}{4}SE\frac{1}{4}$, SE Cor. $NE\frac{1}{4}SE\frac{1}{4}$, South central part of $SE\frac{1}{4}NW\frac{1}{4}$, Sec. 32 T. 9 S., R. 31 E. NW Cor. $SW\frac{1}{4}SW\frac{1}{4}$, SW Cor. $NW\frac{1}{4}SW\frac{1}{4}$, West central part of $SE\frac{1}{4}SW\frac{1}{4}$, Sec. 33, T. 9 S., R. 31 E., Southern part of $NE\frac{1}{4}$, Northern part of $N\frac{1}{2}SE\frac{1}{4}$, Sec. 6, T. 10 S. R. 31 E. $NW\frac{1}{4}$, Northern part of $N\frac{1}{2}SW\frac{1}{4}$, Northern half of $SE\frac{1}{4}$, Southern part of $NW\frac{1}{4}NE\frac{1}{4}$, East half of $NE\frac{1}{4}$, Sec. 5, T. 10 S., R. 31 E. Western edge of $W\frac{1}{2}NW\frac{1}{4}$, SW Cor. $NW\frac{1}{4}SW\frac{1}{4}$, $NE\frac{1}{4}SW\frac{1}{4}$, $SE\frac{1}{4}SE\frac{1}{4}$ Sec. 4, T. 10 S., R. 31 E., $SW\frac{1}{4}SW\frac{1}{4}$, South side of $S\frac{1}{2}SE\frac{1}{4}$, Sec. 3 T. 10 S., R. 31 E., NE Cor. $NW\frac{1}{4}NW\frac{1}{4}$, $NE\frac{1}{4}NW\frac{1}{4}$, $NW\frac{1}{4}NE\frac{1}{4}$ Sec. 10, T. 10 S., R. 31 East of the Boise Meridian.

Witness my hand this 30th day of January, A. D. 1912.

A. E. Robinson

State Engineer

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant ; BENCH DITCH IRRIGATION COMPANY.

Postoffice address: Rockland

County: Oneida State: Idaho

I: If applicant is a corporation give:

(a) Date and place of incorporation: April 18, 1899, Rockland.

(b) The amount of capital stock: \$1500

(c) The amount paid in : \$1500

(d) the names and addresses of directors: H.C. Boley, Andrew May, Richard Hartly, Harrison White, and Antone Nelson of Rockland, Idaho.

II. The financial resources of the applicant are:

(a) Cash on hand: \$60.00

2. The quantity of water claimed is nine cubic feet per second.

3. Source of water supply: East fork of Rock Creek.

County of Oneida.

4. Location or point of diversion; S.E. corner of NW¹ of SE¹ of Sec. 11. Tp. 10 N. Range 31 E. Boise M.

5. To be used for:

I. Irrigation and domestic use:

(a) Amount of land to be irrigated: 905 acres.

(b) In the following legal subdivisions: See list attached.

6. Estimated cost of works: \$750.00

7. Description of works for diversion:

I. Kind of works Enlargement of canal.

II. Dimensions of works:

(c) Size of headgate; width twelve (12) feet, height one-half ($\frac{1}{2}$) feet.

(d) Conduit Ditch, width at bottom four (4) feet, width at water line ten (10) feet, depth of water three feet. Average grade per mile is three (3) feet. Length of conduit is four and one half miles, and it crosses the following quarter sections: NE¹, NW¹ of Sec. 11; NE¹ of Sec. 10; SE¹, NW¹ of Sec. 3; SE¹ NE¹ of Sec. 4, Tp 10. SW¹ of Sec. 13. Tp. 9 and NW¹ of Sec. 5 Tp 10. of R. 31 E. to land described in 5 I (b) above which is the point of intended use.

8. Time required for the completion of the construction of such work is three (3) years.

9. Time required for the complete application of the water to the proposed use is two (2) additional years.

BE IT KNOWN, That the undersigned hereby makes application for a permit to appropriate the public waters of the State of Idaho as herein set forth.

Bench Ditch Irrigation Company.

Applicant.

By Edwin W. Fifield.....Agent.

Remarks: The water applied for in the above application comes from flood waters and in moist seasons when there is more water than that used in the old decreed water rights of East Fork of Rock Creek.

Since irrigation has been practiced on Rock Creek the stream has been enlarged through seepage until there is the surplus asked for at the present time.

The amount applied for is in addition to the water of the old right now in use by the Bench Ditch Irrigation Company.

It is understood however that the company does not claim more than one inch per acre inclusive of said decreed rights and the rights to be granted by the permit herein applied for.

List of Lands to be irrigated by Water from the Bench ditch.

(8) Eight acres in the southeast quarter of the N.E. 4. of section thirty-one, Township nine south, range 31 E. B.M.

(28) Twenty-eight acres in the southern part of the S.W. 4 of N.W. 4.

(80) Eighty acres in the West half of the S.W.4.

(12) Twelve acres in the west half of the NE4 of the SW4.

(35) Thirty-five acres in the southern part of the SE4 of SW4.

(5) Five acres in the southwest corner of the SW4 of SE4.

(4) Four acres in the northeast corner of the SE4 of SE4.

(5) Five acres in the southeast corner of the NE4 of the SE4.

(4) Four acres in the south central part of the SE4 of the NW4.

Of Section Thirty-two, Township Nine South, Range 31 East Boise Meridian.

(4) Four acres in the northwest corner of the SW4 of SW4.

(6) Six acres in the southwest corner of the NW4 of SW4.

(4) Four acres in the west central part of the SE4 of SW4.

Of Section Thirty-three, Township Nine, South, Range 31 East Boise Meridian.

(135) One hundred and thirty-five acres of the southern part of the NE4.

(52) Fifty-two acres in the northern part of the north half of SE4.

Of Section six, township ten south, range 31 east Boise M.

(160) One Hundred and sixty acres in the NW4.

(70) Seventy acres in the northern part of the northern half of SW4

(65) Sixty-five acres of the Northern half of the SE4.

(35) Thirty-five acres in the southern part of the NW4 of NE4

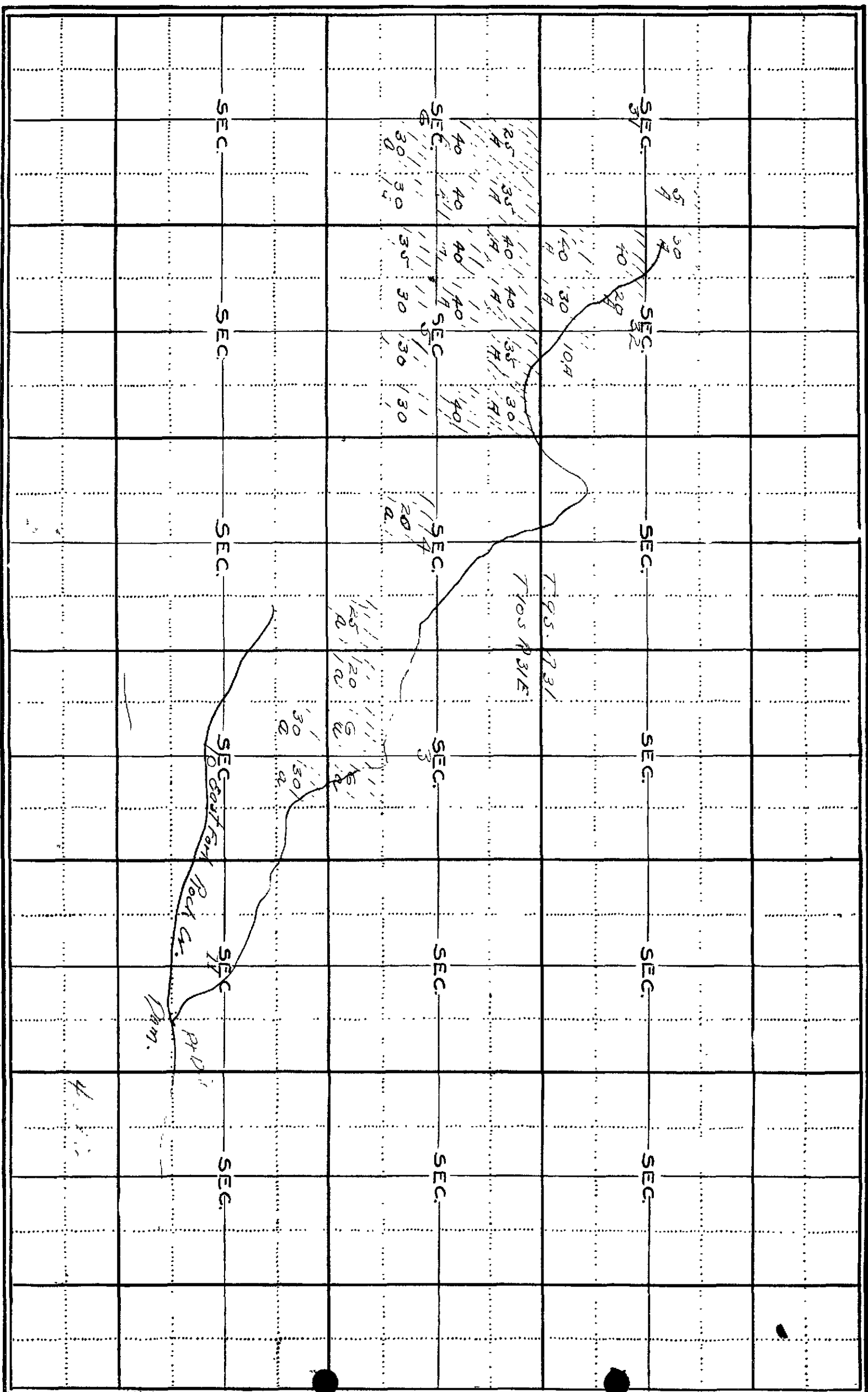
(68) Sixty-eight acres in the eastern half of NE4.

Of Section five, township ten south, Range 31 E.B.M.

**THIS
RIGHT HAS BEEN
DECREED IN THE
SRBA**

T. 9 S., R. 31 E.B.M., Sec. 31, 5 ac. in $SE\frac{1}{4}$ of $NE\frac{1}{4}$; Sec. 32, 30 ac. in $SW\frac{1}{4}$ of $NW\frac{1}{4}$, 40 ac. in $NW\frac{1}{4}$ of $SW\frac{1}{4}$, 40 ac. in $SW\frac{1}{4}$ $SW\frac{1}{4}$, 20 ac. in $NE\frac{1}{4}$ $SW\frac{1}{4}$, 30 in $SE\frac{1}{4}$ $SW\frac{1}{4}$, 10 ac. in $SW\frac{1}{4}$ $SE\frac{1}{4}$; T. 10 S., R. 31 E.B.M. Sec. 6, 25 ac. in $NW\frac{1}{4}$ $NE\frac{1}{4}$, 35 ac in $NE\frac{1}{4}$ $NE\frac{1}{4}$, 40 ac. in $SW\frac{1}{4}$ $NE\frac{1}{4}$, 40 ac. in $SE\frac{1}{4}$ $NE\frac{1}{4}$, 30 ac. in $NW\frac{1}{4}$ $SE\frac{1}{4}$, 30 ac. in $NE\frac{1}{4}$ $SE\frac{1}{4}$; Sec. 5, 160 ac. in $NW\frac{1}{4}$, 35 ac. in $NW\frac{1}{4}$ $SW\frac{1}{4}$, 30 ac. in $NE\frac{1}{4}$ $SW\frac{1}{4}$, 35 ac. in $NW\frac{1}{4}$ $NE\frac{1}{4}$, 30 ac. in $NE\frac{1}{4}$ $NE\frac{1}{4}$, 40 ac. in $SE\frac{1}{4}$ $NE\frac{1}{4}$, 30 ac. in $NW\frac{1}{4}$ $SE\frac{1}{4}$ and 30 ac. in $NE\frac{1}{4}$ $SE\frac{1}{4}$; Sec. 4, 20 ac. in $NE\frac{1}{4}$ $SW\frac{1}{4}$, 25 ac. in $SE\frac{1}{4}$ $SE\frac{1}{4}$; Sec. 3, 20 ac. in $SW\frac{1}{4}$ $SW\frac{1}{4}$, 6 ac. in $SE\frac{1}{4}$ $SW\frac{1}{4}$, 6 ac. in $SW\frac{1}{4}$ $SE\frac{1}{4}$; Sec. 10, 30 ac. in $NE\frac{1}{4}$ $NW\frac{1}{4}$ and 30 ac. in $NW\frac{1}{4}$ $NE\frac{1}{4}$.

Name of Applicant Beach Ditch Co Permit # 4072



REPORT OF ENGINEER

1. State name of applicant and number of permit: *Bearh Ditch Co. Permit # 4072*
2. State source of water supply: *East Fork Rock Cr.*
3. Location of point of diversion: *SE. Cor. 9th N. 41st E. Sec. 11 T. 10 S. R. 3. 1 E.*
4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: *yes*
5. Describe works as they exist, giving dimensions of same as follows:
 - (a) Width of conduit at bottom: *7'*
 - (b) Width at water line: *9'*
 - (c) Depth of water: *3'*
 - (d) Grade per mile: *3'*
 - (e) Capacity of ditch: *9* second feet.
6. State whether or not water has been turned into works of diversion and if so, to what extent:
yes To capacity
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract:
8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.

Remarks: *Head gate, wooden structure 12' wide and 1 ft. high*

L. M. Burkett
Dec. 8, 1913

STATE OF IDAHO,

County of _____ } ss.

_____, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief. *L. M. Burkett*

Subscribed and sworn to before me this _____ day of _____ 191_____

My Commission Expires _____

Notary Public.