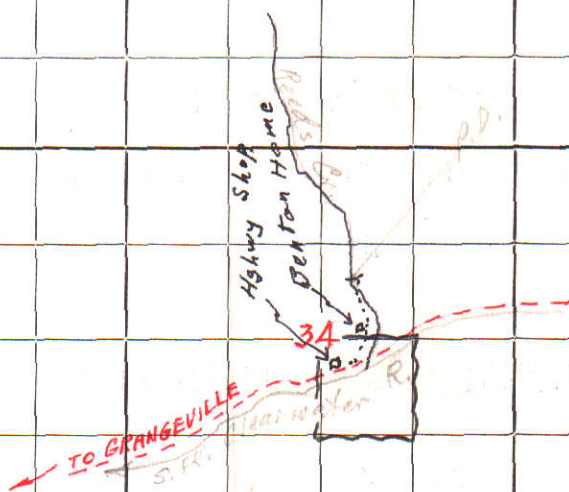


R-6E.

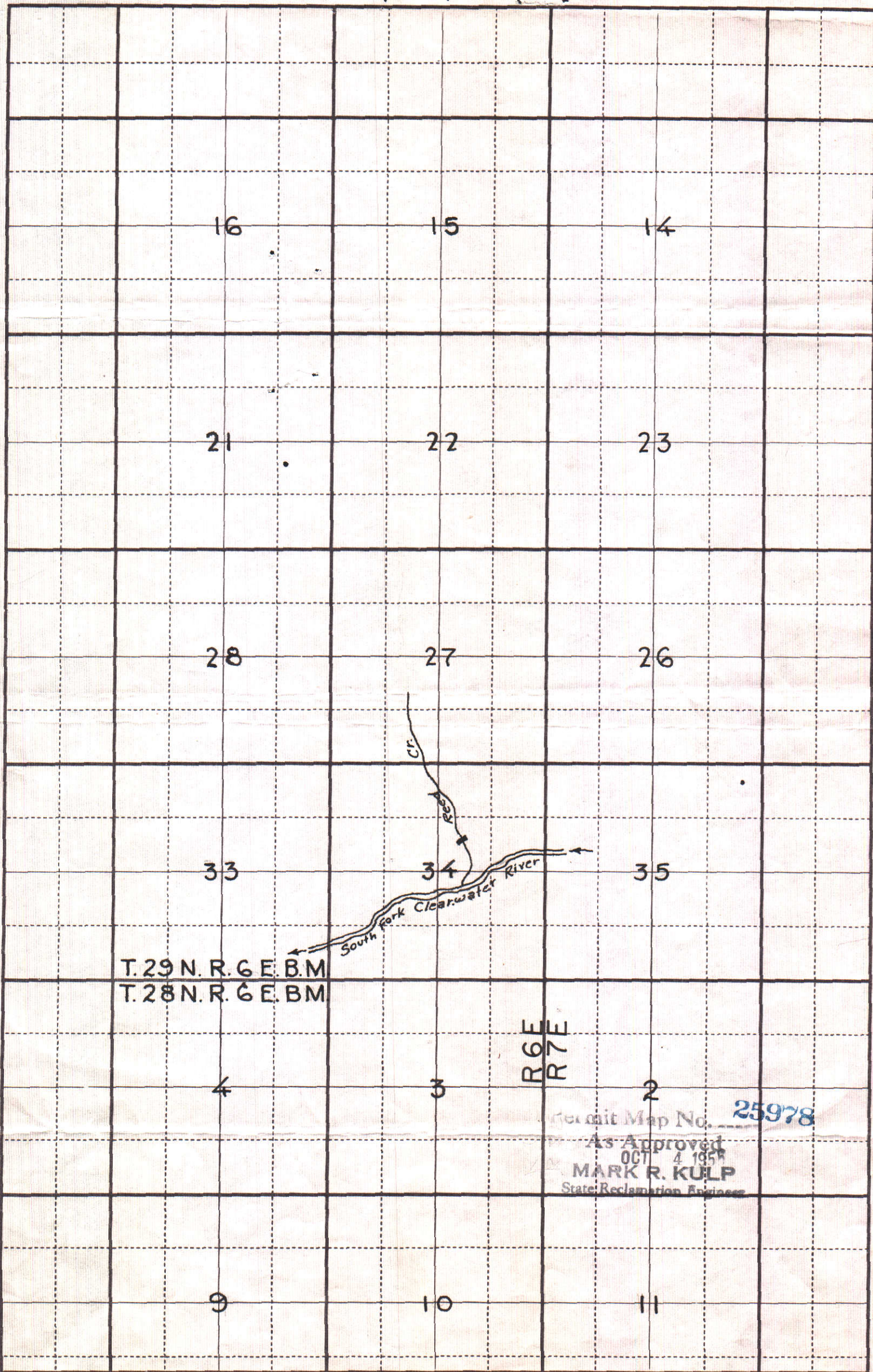
T.
29
N.

approx 140 yds W. of
mouth of Rock Creek



Use = domestic

Q = .0044 cfs. or 2 gpm.



Platting of P.D. and land use not possible
at this time because this area has not been
surveyed; therefore, Quad sheets for platting
are not available.

State of Idaho
License and Certificate of Water Right

Amount... 0044 c.f.s.

Priority July 1, 1955

THIS IS TO CERTIFY that STATE OF IDAHO, DEPARTMENT OF HIGHWAYS
of Boise, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated June 17, 19 55 ; that Permit No. 25978
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
.045 second feet, was issued thereunder on September 23, 19 57, showing that said works
were completed on the 16th day of September, 19 57 ; and that on the 18th
day of October, 19 57, STATE OF IDAHO, DEPT. OF HIGHWAYS
By: G. Bryce Bennett, State Engr.
of Boise, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Reeds Creek
, a tributary of So.Fk.Clearwater River, for the purpose of Domestic Purposes
, under Use Permit No. 25978 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
10 of Licenses at page 6441, on the 10th day of October, 19 58 ;
The right hereby confirmed dates from July 1, 19 55 ;

The Point of Diversion is located

In the NE 1/4 NE 1/4 Sec 34 Tp 20N R 4E B. M. County Idaho

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 .0014 cubic feet per second.

Description and location of use: DOMESTIC USE

Twp.	Range	Sec.	Forty-acre Tract	Notes
29 N.	6 N.	34	W $\frac{1}{2}$ S $\frac{1}{2}$	Highway Shop and Residence

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

10th day of October, 1958

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

(SEAL)

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho 82-2055

APPLICATION No. 33619
PERMIT No. 25978
DISTRICT No.

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

Postoffice address: BOX 879, Boise

County: Ada

State: Idaho

I. If applicant is a corporation, give:

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

II. The financial resources of the applicant are:

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

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: 2 Gal/per min. or .045² cubic feet per second.

3. Source of water supply: Reed's Creek which is a tributary of So. Fk. Clearwater River

4. Location of point of diversion: Approx. 1800' S & 2000' W. feet distant from the NE corner of Section 34, T. 29 N, R. 6 E, B.M., and is in the SW¹/₄ NE¹/₄ of Section 34, T. 29 N, R. 6 E, B.M., County of Idaho

5. Water is to be used for Domestic Purposes

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 South Fork of Clearwater at a point feet distant from the SW¹/₄ corner of Section 34, T. 29 N, R. 6 E., B.M., in the of Section , T. , R. , B.M.

7. Estimated cost of works: \$ 300.00

8. Kind of works: 2" Pipe

9. Height of dam None feet; length of dam at top feet; length of dam at bottom feet; material used in dam:

10. Size of headgate: Width None feet; height feet.

11. Ditch: Width at bottom None feet; width at water line feet; depth of water feet;

dimensions of flume: None

Diameter of pipe 2 inches; length of conduit miles.

Average grade per mile feet.

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

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

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

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

16. (a) Is reservoir to be used? ☒ Yes ☐ No If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public water of the State of Idaho as herein set forth.

DEPARTMENT OF HIGHWAYS

Applicant.

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

Appendix

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

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 25978

Recorded in Book 91 Page 25978 Approved October 4, 1955

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

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

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

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

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

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

WITNESS My hand this 4th day of October, 1955

MARK R. KULP
State Reclamation Engineer.

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

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

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

day of October, 19 55.

STATE OF IDAHO

Countersigned:

By **ROBERT E. SMYLIE**

Governor.

By IRA H. MASTERS

By PAULA L. FLEENOR *Secretary of State.*

Deputy Secretary of State

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

14.

Twp.	Range	Sec.	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	
			Permit No. <u>25978</u> Certificate of Completion of Works TO ALL WHOM IT MAY CONCERN: This is to certify that STATE OF IDAHO, DEPARTMENT OF HIGHWAYS of Boise, County of Ada, and State of Idaho, the holder of Permit No. 25978, issued upon Application No. 33619 bearing date of priority of June 17, 1955, authorizing the diversion of .045 second feet of the waters of Reeds Creek County of Idaho, State of Idaho, for 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 .045 second feet of the waters of Reeds Creek that the point of diversion of said waters ~~SW1/4~~ of Section 34, Township 29 North, Range 6 East, B.M. and that the use of said water is described as follows, to-wit: For Domestic Use - the place of use is in the NW1/4SE1/4 of Section 34, Township 29 North, Range 6 East, B.M. Proof of Completion of Works made: September 16, 1957. Witness my hand this 23rd day of September A.D., 1957 /s/ Mark R. Kulp State Reclamation Engineer Proof of Completion of Works made: September 16, 1957 Certificate of Completion of Works issued: September 23, 1957. LICENSE ISSUED FOR <u>00044</u> SEC: <u>FL</u> P-6441																

ACTION

N OWNER LAST NAME - STATE OF IDAHO

N ADDRESS LINE 1 - DEPT. OF TRANSPORTATION

N ADDRESS LINE 3 - P.O. BOX 7129

N SOURCE - REEDS CREEK

ADDRESS LINE 2 - DIVISION OF HWYS.

CITY - BOISE

STATE - ID ZIP CODE - 83720

TRIBUTARY OF - CLEARWATER RIVER, SOUTH FORK

N STAGE - LICENSE

PRIORITY - 07-01-1955 COUNTY - IDAHO

TOTAL DIV. RATE - .0100CFS

N DIVERSION POINT - SWNE 34 29N 06E

USE - DOMESTIC

USE DIV. RATE - .0100CFS

N USE - DOMESTIC

PLACE OF USE - TWN 29N RNG 06E SEC 34 TRACT NWSE

OLD NO. - 25978

IDENT. NO. 82-2055

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 25978 182-2055
OTd No. New No.

Record

1. Original Owner: State of Idaho

Present Owner: _____

2. Address: Dept. of Transportation, Division of Highways, P.O. Box 71293. City: Bowse State: ID Zip: 837204. A. Source of Water: Reeds CreekB. Tributary of: Clearwater River, South Fork5. A. Stage (A,P,L,D,S,J): L

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 7-1-1955D. County: 49E. Total Diversion Rate: 0.01

F. Total Diversion Volume:

G. Transfer/Amendment (P,T of A or blank):

H. Water District:

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>SW 1/4</u>	<u>34</u>	<u>29N</u>	<u>6E</u>		

7. Period of Use, Use, Diversion Rate/Volume:

from _____ to _____ for 0 purposes. Amount 0.01
(cfs or AC-FT/yr)

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

AD 9-26

29	N	45	34
----	---	----	----

B. Decree Date:

10. Remarks: A.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number: 25978

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval:

14. Diversion Means (brief narrative):

October 10, 1958

Re: Permit No. 25978
State of Idaho -
Department of Highways

Mr. G. Bryce Bennett, State Engineer
Department of Highways
603 Main Street
Boise, Idaho

Dear Mr. Bennett:

Enclosed is the License and Certificate of Water Right issued under Permit No. 25978 confirming the right with priority of July 1, 1955, to the use of .0044 second foot of water from Reeds Creek, with point of diversion in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 34, for domestic use at the Highway Shop and Residence in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 34, Township 29 North, Range 6 East, B.M.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enc.

25978

RWD

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

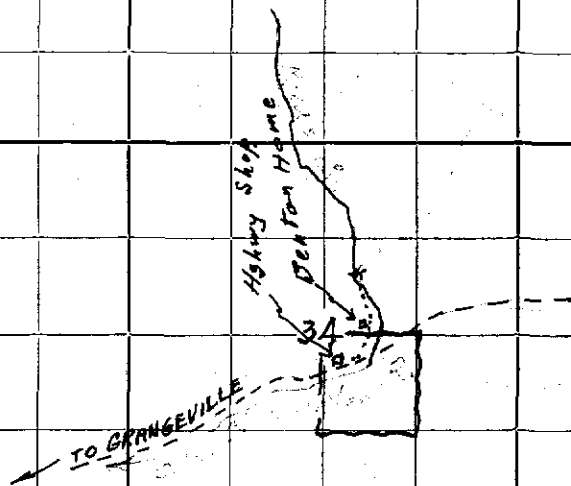
PERMIT NO. 25978

REPORT ON PROOF OF Beneficial Use
State of Idaho, by
G. Bryce Bennett - State Highway Engineer
603 Main Street,
Boise, Idaho

R-6E

T.
29
N.

Approx 140' North
of 1st St



Use = domestic

Q = .0044 cfs. or 2 gpm.

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

Permit No. 25978

This proof is for Beneficial Use In Water District No. _____
State of Idaho, by _____

1. Name of applicant G. Bryce Bennett - State Highway Engineer

2. Source of water supply: Reeds Creek

3. Location of point of diversion: Is in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 34

T. 29 N., R. 6 East County of Idaho

4. Describe works as they exist, giving dimensions and capacities of same: 2 outlets in Highway Shop at Holden. $\frac{3}{4}$ " pipe One outlet in Millard Benton House $\frac{1}{2}$ " in up Reeds Cr. Outlet Head in 10" ^{wood} pipe laid in small pool in Red Cr. 100' to storage barrels = 4 oil bbls 2 and 2  in a log bunker nearly covered with gravel 2' overflow pipe back into creek 12' Elev. est. at 70 feet at shop. No storage at shop. Used for wash at

5. Water is used for: Domestic use shop - domestic at Benton's

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):

Domestic use in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 34, Township 29 North, Range 6 East. B.M.

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

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

Remarks:

Thomas Elliot along.

This examination was made on the 19 day of Sept, 1958

(Signed) E. N. Humphrey Examiner.

25978

State of Idaho, by
G. Bryce Bennett, State Highway Engineer
603 Main Street
Boise, Idaho

Permit No. 25978

Examination for Beneficial Use

County Idaho

34-204-65

Gr 2000

St. R. R. 1 mile

Plat 15, Sec. 34, T. 1 N., R. 1 E.

W. C. Jones

1/2 mile on Ch. 1

Filed - Jan 15, 1958

by Act. 1, 1957

9-73-57

INSTRUCTIONS TO EXAMINERS

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

RECEIVED
SEP 23 1958

Department of Reclamation

September 9, 1958

Re: Permit # 25978

State of Idaho Department of Highways
Mr. G. Bryce Bennett, Engineer
603 Main Street
Boise, Idaho

Dear Mr. Bennett

Statutes requires a field inspection in connection with the proofs on Permit # 25978 before license and certificate of water right can be issued.

Such inspection and report on same is required for any and all permits being brought to license within this State.

An inspecting Engineer from this Department requests that you or someone familiar with the terms of the permit and representing you be prepared to accompany him on the inspection, on Friday or Saturday

Sept. 19th or 20th, 1958

If he cannot get in touch with you by phone or otherwise he will drive to the well location or point of diversion given in the permit.

Very truly yours,

~~WILLIAM W. ROSE~~ GND. N. CARTER
State Reclamation Engineer
By

E. N. Humphrey
E. N. Humphrey
Deputy

cc: State of Idaho Department of Highways
Golden, Idaho

25978

November 4, 1957

Re: Permit No. 25978

Mr. G. Bryce Bennett
State Highway Engineer
603 Main Street
Boise, Idaho

Dear Mr. Bennett:

We acknowledge receipt of the Deposition of Holder and two witnesses, also affidavit of publication in the Idaho County Free Press, all submitted in proof of Application of Water to Beneficial Use on Permit No. 25978.

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

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

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Edna P. Rutledge (Mrs.)
Chief Clerk

EPR:lw

25978

RECEIVED
NOV 4 1957

Department of Reclamation

AFFIDAVIT OF PUBLICATION

Arvid Zink

being first duly

sworn, says he is the Chief clerk
of the IDAHO COUNTY FREE PRESS, a weekly newspaper which
is published and issued weekly at Grangeville, Idaho County,
State of Idaho, and which is of general circulation in said county
and state; that the said notice, of which the one hereto attached
is a true copy, was published in said paper for four weeks,
being published four times, the first publication being
on the 19th day of September, 1957,
and the last publication on the tenth day
of October, 1957; and that the said notice
was published in the newspaper proper and not in a supplement;
that said newspaper has been continuously and uninterruptedly
published in said county during a period of more than seventy-
eight consecutive weeks prior to the first publication of said
notice or advertisement.

Arvid Zink

Subscribed and sworn to before me this 10th day
of October, 1957.

H. L. Gore, Notary Public
for State of Idaho, residing at Grangeville, Idaho.

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 2:00
P.M. on the 18th day of October, 1957,
at Boise, County of Ada, State of Idaho,
before Gordon M. Hawkes, Notary Pub-
lic, State Highway Building, proof will
be submitted of the application to
beneficial use of .045 cubic feet per
second of the waters of Reed's Creek
in accordance with the terms and con-
ditions of Permit No. 25978 heretofore
issued by the Department of Reclama-
tion of the State of Idaho.
The name and postoffice address of
the Department holding said permit
is State of Idaho, Department of High-
ways, Box 873, Boise, Idaho.
The use to which said water has been
applied is Domestic.
The amount applied to beneficial use
is .045.
The place where said water is used
is NW 48E 1/4 Section 34, Twp. 29 N. Range
6E.
The name of the canal or ditch or
other works by which said water is
conducted to such place of use is Pri-
vate pipe-line.
The right to take water from such
works is based upon Permit No. 25978.
The source of supply from which
such water is diverted is Reed's Creek.
The date of priority which said user
is prepared to establish is June 17,
1955.

819-010 MARK R. KULP,
State Reclamation Engineer.

25978

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
OCT 1 1955
Department of Reclamation

Permit No. 25978

Proof of Application of Water to Beneficial Use

and Completion of Works

Deposition of Holder

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

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

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. State of Idaho, Department of Highways

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

Ans. 25978, June 17, 1955 - Date of Priority is July 15, 1940

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

Ans. Reeds Creek. Approximately 1800 feet South and 2000 feet West from the Northeast corner of Sec. 34, Twp. 29 N, R 6 E, B.M. and in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 34, Twp. 29 N, R 6 E, 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. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. A 2" pipe carrying water 1800' from the point of diversion to the maintenance station and capable of carrying .045 cubic feet per second.

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. Domestic use in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 34, Twp. 29 N, R 6 E, B.M.

25978

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

Ans. Domestic use.

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

Ans. 0.45 cubic feet per second.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans.

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

Ans. The diverted water has been used for domestic purposes since July, 1940.

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

Ans. No other waters have been used.

(Sign)

G. Bryce Bennett
State Highway Engineer

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Boise, County of Ada, State of Idaho, on this 18th day of October, A. D. 1957.

Gordon M. Hawkes

My commission expires Feb. 16, 1958

25978

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 25978**Proof of Application of Water to Beneficial Use****Deposition of Witness**

The deposition of two witnesses, on this form, taken separately, required in each case.

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

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

Assistant State Highway Engineer, Box 879, Boise, Idaho

Ques. 2. Are you acquainted with G. Bryce Bennett, the holder of Permit No. 25978? How long have you known him and where does he reside?

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

Ques. 3. Have you read or heard read said Permit No. 25978, 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. Reeds Creek. Approximately 1800 feet South and 2000 feet West from the Northeast corner of Sec. 34, Twp. 29 N, R 6 E, B.M. and in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 34, Twp. 29 N, R 6 E, B.M. A 2" pipe carries the water 1800' to the place of use.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. .045 cubic feet per second.

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

Ans. Domestic use in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 34, Twp. 29 N, R 6 E, B.M.

25978

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

Ans. Domestic use.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. _____

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. None.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have from time to time observed the diverted waters being used for domestic purposes since July, 1940.

(Signed) _____

J. H. Cairns
J. H. Cairns

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Boise,
County of Ada, State of Idaho, on this 18th day of October,
A. D. 1957.

Gordon M. Hawkes

Gordon M. Hawkes

Notary Public.

My commission expires Feb. 16, 1958

25978

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 25978

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

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

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

Ques. 2. Are you acquainted with G. Bryce Bennett, the
holder of Permit No. 3597? How long have you known him and where does
he reside?

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

Ques. 3. Have you read or heard read said Permit No. 25978, 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 con-
veying water from point of diversion to place of use.

Ans. Reeds Creek. Approximately 1800 feet South and 2000 feet West
from the Northeast corner of Sec. 34, Twp. 29 N, R 6 E, B.M. and in
the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 34, Twp. 29 N, R 6 E, B.M. A 2" pipe carries the
water 1800' to the place of use.

Ques. 5. How many second feet of water do you estimate said works will safely con-
duct to place of use, and how much water have you seen being so conveyed?

Ans. .045 cubic feet per second.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give
each subdivision in which water has been used and number of acres irrigated in each
subdivision.) State whether cultivated or natural meadow land and the nature of all im-
provements which have been made as a direct result of said use.

Ans. Domestic use in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 34, Twp. 29 N, R 6 E, B.M.

25978

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

Ans. Domestic use.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. _____

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. None.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have from time to time observed the diverted waters being used for domestic purposes since July, 1940.

(Signed) _____

N. L. McCrea
N. L. McCrea

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Boise,
County of Ada, State of Idaho, on this 18th day of October,
A. D. 1957.

Gordon M. Hawkes
Gordon M. Hawkes

Notary Public.

My commission expires Feb. 16, 1958.

25978

September 23, 1957

Re: Permit No. 25978
State of Idaho, Department of Highways

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

Dear Mr. Bennett:

Enclosed is the Certificate of Completion of Works issued under Permit No. 25978 to the State of Idaho, Department of Highways, for the diversion of .045 second foot of water from Reeds Creek for domestic use in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 34, with the point of diversion in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 34, all in Township 29 North, Range 6 East, B.M., in the county of Idaho.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enc.

25978

MEMO FROM

Idaho County Free Press

Phone 590 — P. O. Box 267
GRANGEVILLE, IDAHO

Sept. 18, 1957

RECEIVED
SEP 19 1957

Department of Reclamation
Edna P. Rutledge, Chief Clerk
Boise, Idaho

Re: Permit No. 25978
Department of Reclamation Department of Highways

Dear Mrs. Rutledge:

This will acknowledge receipt of the above mentioned notice to be published in our paper prior to Oct. 18, for four consecutive weeks. We are starting publication Sept. 19, to give time to send affidavit of publication to Boise in time for the designated hearing.

Proof of the notice will be found herewith. NOTE: We have inserted "Reed's Creek" in the 10th line, which did not appear on your typewritten copy, picking up the location from farther down in the notice.

If we were wrong in making this "insertion" please advise immediately and we can still get in the four publications before time expires.

Please acknowledge receipt of this letter.

Respectfully,

John L. Olmsted

25978

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RE: Permit No. 25978
Department of Highways

Date: September 17, 1937

Idaho County Free Press
Grangeville, Idaho
Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **October 18th, 1937** the date set for proof; the expense of the publication is to be paid by the applicant, **State of Idaho, Dept. of Highways, Box 879, Boise, 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

Edna P. Rutledge (Mrs.)
Chief Clerk

EPR:vm
Encl.

25928

(Depositions were handed Mr. Byrum when in the office.)

25928

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

Notice is hereby given that at 2:00 ^{P.}~~A.~~ M. on the 18th day of October, 1957,
 at Boise, County of Ada, State of Idaho, before
Gordon M. Hawkes, Notary Public, State Hwy. Bldg., proof will be submitted of the
 application to beneficial use of .045 cubic feet per second of the waters of
 in accordance with the terms and conditions of Permit No. 25978
 heretofore issued by the Department of Reclamation of the State of Idaho.

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

State of Idaho, Department of Highways, Box 879, Boise, Idaho

The use to which said water has been applied is Domestic

The amount applied to beneficial use is .045

The place where said water is used ~~for irrigation or any other purpose and an accurate description of the lands irrigated~~

NW1/4 SE1 Section 34, Twp. 29.N. Range 6.E.

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

Private pipe-line.

The right to take water from such works is based upon Permit No. 25978

The source of supply from which such water is diverted is Reed's Creek

The date of priority which said user is prepared to establish is June 17, 1955

MARK R. KULP

State Reclamation Engineer.

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) September 10, 1957

P. O. Box 879

Address

Boise, Idaho

City

State

TO THE STATE RECLAMATION ENGINEER;

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the Idaho County Free Press of Grangeville, Idaho,
published in the county in which the works are
situated.

By R. L. Bepko
Chief Right of Way agent

(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

25978

Permit No. 25978

Reeds Creek

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

RECEIVED
SEP 16 1957
Department of Reclamation

STATE OF IDAHO

County of Ada

ss.

G. Bryce Bennett, being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho, No. 25978, and that his postoffice address is Box 879, Boise, State of Idaho

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

Third: That the point of diversion of said water is Approx. 1800 feet south and 2000 feet west from the NE corner of Sec. 34, T 29 N, R 6 E, B.M. and is in the SW 1/4 NE 1/4 of Sec. 34, T 29 N, R 6 E, B.M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by October 4, 1955

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

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: 2" pipe from creek to Maintenance Station
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam feet, length of dam at top feet, length of dam at bottom feet. Material used in construction

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.

(c) Size of headgate: Width feet, height feet.

(d) Conduit width at bottom feet, width at water line
(State whether ditch, flume or pipe)

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

Seventh: That said works are capable of conducting to the place of intended use .045 second feet of water.

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

Ninth: Remarks: That place of use is in the NW 1/4 SE 1/4 of Section 34, Township 29 North, Range 6 East, B.M. 2" pipe approximately 1800 feet from point of diversion.

State of Idaho, Department of Highways

State Highway Engineer

Subscribed and sworn to before me this

16th day of September, 1957

My commission expires 3/18/61

Notary Public.

25978

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

RE: Permit No. 25978

BOISE

August 1, 1957

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

ATT: Bryce G. Bennett
Engineer

Under the terms of your permit No. 25978 you are required to complete your diversion works and make proof of beneficial use on or before

October 4, 1957.

We enclose herewith a blank affidavit to be filled out, sworn to by you before a Notary Public or Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the Completion of the Works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion of Works will be issued to you.

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

Very truly yours,

MARK R. KULP
State Reclamation Engineer

25978

October 12, 1955

RE: Permits Nos. G-25971 to G-25976 inclusive
25977 & 25978

Department of Highways
B U I L D I N G

Attention; Mr. E. V. Miller,
State Highway Engineer

Dear Mr. Miller:

We enclose the above numbered Permits of the Department
of Highways and direct 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:hll
Enc.

25978

