



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

October 26, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

V. Blaine Benson
2079 W. 1200 N.
Blackfoot, ID 83221

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #A35-13209

Dear Claimant:

Your Notice of Claim to a Water Right was received from the SRBA Court recently. We have enclosed a data-entered copy of your claim for your records.

Your Notice of Claim will be investigated and reported to the Court in a future supplemental Director's Report. Please contact me at 208/327-7932 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Donald V. Shaff', written over a horizontal line.

Donald V. Shaff, Manager
Adjudication Technical Section

DS:ss:region

Enclosure:

Data-entered Copy of Claim

DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
STATE OF IDAHO



(208) 736-3011
FAX (208) 736-2121

RECEIVED
OCT 22 1999

Department of Water Resources

SRBA CHAMBERS
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

October 21, 1999

Dave Tuthill
Idaho Department of Water Resources
P O Box 83720
Boise, ID 83720-0098

RE: Motions to File Late Notices of Claim Granted at the October 19th Status
Conference

Dear Dave:

Enclosed, please find an *Order Granting Motion to File Late Notice of Claim* and
the attached Notice of Claim for each of the following subcases.

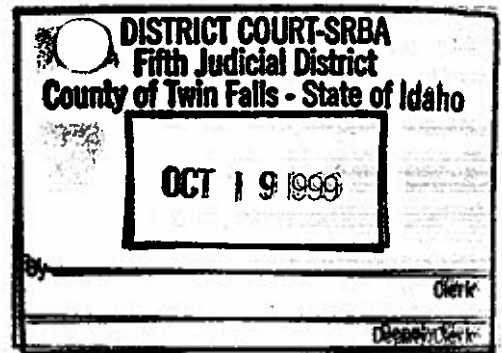
72-00176L	Robert Griswold	\$106.00 filing fee paid, Check 2765 ✓
35-13209	V. Blaine Benson	\$131.00 filing fee paid, Check 3617 ✓
35-13208	V.R. Benson	\$166.00 filing fee paid, Check 3618 ✓
35-13275	Wendy Porter	\$25.- Filing Fee paid to IDWR- Eastern (see receipt attached to Notice of Claim) ✓

If you have questions about these or other matters, please contact me.

Sincerely,

Ami Alberdi
Deputy Clerk of the Court
Snake River Basin Adjudication

Enclosures



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

Subcase No. 36-13209

ORDER GRANTING MOTION
TO FILE LATE NOTICE OF CLAIM

On July 20, 1999, a Motion to File Late Notice of Claim was filed by
V. Blaine Benson. All procedural requirements under
Administrative Order 1 were complied with in filing this *Late Notice of Claim*. No valid
objections were made to this *Late Notice of Claim*. The Motion is GRANTED.

IT IS SO ORDERED.

DATED 10/19/1999.

B. Wood
BARRY WOOD
Administrative District Judge and
Presiding Judge of the
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that true and correct copies of the **ORDER GRANTING MOTION TO FILE LATE NOTICE OF CLAIM** were mailed on October 21, 1999, with sufficient, first-class postage to the following:

IDWR Document Depository
PO Box 83720
Boise, ID 83720

NOTICE OF CLAIM FORWARDED

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Dept of Justice
Environment & Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724

V Blaine Benson
2079 W 1200 N
Blackfoot, ID 83221


Deputy Clerk

RECEIVED

OCT 05 1999

Department of Water Resources

1999 SEP 27 PM 1:42
DISTRICT COURT - SRBA
TWIN FALLS CO. IDAHO

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

) Subcase Nos. 35-13209
)
)
)
)
)
)

NOTICE SETTING HEARING ON
MOTION TO FILE LATE NOTICE
OF CLAIM

On July 20, 1999, a *Motion to File Late Notice of Claim* was filed by V. Blaine Benson in the above subcase.

The *Motion* will be heard on Tuesday, October 19, 1999, at 1:30 p.m. at:

CUSTER COUNTY COURTHOUSE
801 MAIN STREET
CHALLIS, IDAHO

Any party wishing to participate by telephone shall contact the deputy clerk of the SRBA prior to Friday, October 15, 1999 by 5:00 p.m.

DATED September 27, 1999.



Ami Alberdi
Deputy Clerk of the Court
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that true and correct copies of the **NOTICE SETTING HEARING ON MOTION TO FILE LATE NOTICE OF CLAIM** were mailed on October 1, 1999, with sufficient, first-class postage to the following:

IDWR Document Depository
PO Box 83720
Boise, ID 83720

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Dept of Justice
Environment & Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724

V Blaine Benson
2079 W 1200 N
Blackfoot, ID 83221



Deputy Clerk

JUL 21 1999

Department of Water Resources

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Subcase 35-13209
(Insert water right number)

Case 39576

STANDARD FORM 4

MOTION TO FILE:

☒ LATE NOTICE OF CLAIM☐ AMENDED NOTICE OF CLAIM

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even-number pages upside down.

The water right number for your late or amended claim must be indicated above in the blank space following "Subcase." You must use a **separate form for each** late or amended Notice of Claim.

This form has been adopted by the court in *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

By filing a *Motion to File a Late Notice of Claim* or a *Motion to File an Amended Notice of Claim*, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

☐ I have read **SRBA Administrative Order 1, Rules of Procedure** (amended Sept. 30, 1996).

My name is _____

My address is _____

My phone number is: Work _____ Home _____

I am an attorney representing _____

My name is _____

My address is _____

My phone number is _____

MOTION TO FILE A LATE NOTICE OF CLAIM

A Motion to File a Late Notice of Claim will require a hearing before the Presiding Judge.

☐ I did not file a Notice of claim to the use of water in the SRBA because:

☐ I filed a ~~Notice of Claim~~ and elected to defer judicial proceedings on my domestic or stock watering use. I desire to ~~reinstate my Notice of Claim~~ for domestic or stock watering use.

☐ I am providing legal and factual documentation for my claimed use of water. You must describe these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you **must** attach a copy of your Notice of Claim.)

I have attached:

- ☒ A fully completed Notice of Claim (available from IDWR).
- ☐ A claim filing fee for a domestic and stock watering use. IDWR may charge this fee pursuant to I.C. § 42-1414. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.
- ☒ A claim filing fee and a late claim fee for those claims other than a domestic or stock watering use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ 131⁰⁰.

Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time.
2. Fill in the following information:

This motion will be heard on _____
(Insert Date and Time)

at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

MOTION TO FILE AN AMENDED NOTICE OF CLAIM

A *Motion to File an Amended Notice of Claim* may require a hearing before the Presiding Judge or Special Master or may be granted by leave of the court or by written consent of the parties and the Idaho Department of Water Resources. Leave to amend a claim shall be freely given when justice so requires.

- ☐ I must amend my Notice of Claim to the use of water in the SRBA because:

- ☐ I am providing legal and factual documentation to support my amended Notice of Claim. You must describe these documents and attach a readable copy.

I have attached:

- ☐ An amended Notice of Claim (available from IDWR).
- ☐ Payment of the following additional fees required by IDWR:

VERIFICATION (Must be completed)

State of IDAHO

County of LEMHI

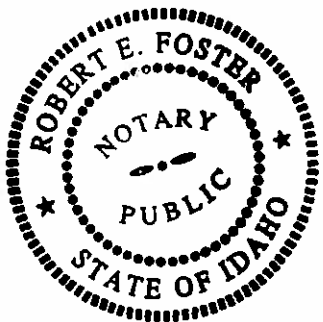
V. R. Benson, being first duly sworn, upon oath, deposes and says:
(Insert name of person filing form)

That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

V. R. Benson
Signature of person filing motion

Attorney signing in representative capacity

Subscribed and sworn to before me on July 19, 1999
(Insert Date)



Robert E Foster
Notary Public for IDAHO
Residing at: Salmon ID
My Commission expires: 02-16-2001

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. **FAX filings will not be accepted by the SRBA Clerk of the Court.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on 7-19, 1999, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that subcase.

(Insert Names/address of parties)



Signature of person or attorney mailing the form

MEMORANDUM

Dated: May 17, 2002

To: legal file, claim file

From: Roxanne Brown

Re: objection to 35-13209 by State Lands

The Department of Lands objects to this recommendation, stating the SESE, S34, T01N, R32E is State Public School endowment land.

This recommendation (35-13209) represents an enlargement of water right 35-7277. A partial decree for 35-7277 was issued January 31, 2002; the Partial Decree did not include the SESE, S36.

A review of aerial photography shows the enlargement acres comprise $\frac{1}{4}$ of a large pivot, the remainder of the land under the pivot being supplied water by 35-7277.



02/19/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 35-13209
NAME AND ADDRESS: V BLAINE BENSON
2079 W 1200 N
BLACKFOOT ID 83221

VERIFIED BY *[Signature]*

SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 0.32 CFS
123.2 AFY

USE OF THIS RIGHT WITH RIGHT NO. 35-7277 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 4.45 CFS.

PRIORITY DATE: 07/25/1978

THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY
DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS
ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN
WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426,
IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.

POINT OF DIVERSION:

T01N R32E S34 NWSWSE Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.320 CFS 123.20 AFY

PLACE OF USE: IRRIGATION Within BINGHAM County

T01N R32E S33	NESE	39.0	T01N R32E S33	NWSE	40.0
T01N R32E S33	SWSE	40.0	T01N R32E S33	SESE	39.0
T01N R32E S34	NESW	40.0	T01N R32E S34	NWSW	39.0
T01N R32E S34	SWSW	39.0	T01N R32E S34	SESW	39.0
T01N R32E S34	NESE	40.0	T01N R32E S34	NWSE	40.0
T01N R32E S34	SWSE	39.0	T01N R32E S34	SESE	30.8

464.8 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 35-7277 IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 464.8 ACRES IN A SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 35-7277
PURSUANT TO SECTION 42-1426, IDAHO CODE.

EXPLANATORY MATERIAL: Beneficial Use

THIS RIGHT IS FOR AN ENLARGEMENT OF 30.8 ACRES WITHIN THE PLACE
OF USE DESCRIBED FOR THIS RIGHT.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 35-7277 V1

WATER RIGHT NUMBER: 35-7277 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	V R BENSON 1604 W TABER RD BLACKFOOT, ID 83221 (208)684-4685

Priority Date: 04/05/1973

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	4.450 CFS	1,736.00 AF
	<u>Total Diversion:</u>	4.450 CFS	1,736.00 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4SW1/4SE1/4	Sec. 34, Twp 01N, Rge 32E, B.M.
BINGHAM County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	32E	33													39.0	40.0	40.0	39.0	158.0
01N	32E	34									40.0	39.0	39.0	39.0	40.0	40.0	39.0		276.0

Total Acres: 434

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 35-7277 V1

Comments:

1. AJU10-DS 2/26/1998 CONDITION H02/H03 UPDATE
Comment: CONDITION CODES H02 AND H03 ADDED IF NOT ALREADY PART OF RECORD.
2. AJU21-DS 5/12/1998 AJU21 CONDITION UPDATE
Comment: DELETED CONDITION CODE(S) H02 H03
3. AJU10-DS 6/15/1998 AJU10 CONDITION UPDATE
Comment: CONDITION CODE(S) A07 ADDED IF NOT ALREADY PART OF RECORD THRU
4. AJU21-DS 2/19/1999 AJU21 CONDITION UPDATE
Comment: DELETED CONDITION CODE(S) A07

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag: NONE RECEIVED
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

SubCase:

SubCase Number: 3507277
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date: 11/13/2001
Attorney Assigned: SARA C DENISTON
Date Filed: 6/2/1999 Objection Status: Active
Date Filed: 8/24/1998 Objection Status: Active
Date Filed: 8/24/1998 Objection Status: Active
Date Filed: 6/2/1999 Objection Status: Active

Water Right Number - R35-13209 Prefix Translation: RESEARCH Old (D) Number -
+ - - - - Last Name - - - - + + - First Name - - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
BENSON
V BLAINE
1 - 2079 W 1200 N
2 -
3 -
City- BLACKFOOT
Phone - 208-684-4685
State- ID Zip- 83221

+ - - Priority Date - - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
07/25/1978 15 EASTERN
+ - - Source - - - - - + + - - Tributary - - - - - +
GROUNDWATER

+ - - - - - - - - - - - Point of Diversion - - - - - +
Tw Rng Sec Tract Lot Rflg County
01N 32E 34 NW SW SE (11) BINGHAM

+ - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 0.320
+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KV Usage - +
0.320 0.0

+ - - - - - - - - - - - Place of Use - - - - - +
Tw Rng Sec Tract Lot Acres Code Description County
01N 32E 34 SE SE 30.8 01 IRRIGATION (11) BINGHAM
Total Acres: 30.8

+ - - Diversion Means - WELL, MAINLINE TO PIVOTS
+ - - Non-Irrigation Use -
+ - - Other Rights for Same Use -

+ - - - - - - - - - - - Remarks - - - - - +
GEN THIS CLAIM IS AN ENLARGEMENT OF 35-07277. FEES ARE DUE AS OF 4/23/98.
INSUFFICIENT FEES.
+ - - - - - - - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers Found

\$50.00 CLAIM
31.00 1/12
\$81.00

fee paid 10/21/1999
R. Ham

| | | | | | | |
|----------------------|--------------|-----------------------|--------------|-------------------------|-----|-------|
| Court Report Filing | - 00/00/0000 | Field Inspection Made | - 00/00/0000 | Civil Case Number | - | 39576 |
| Objection Filed Date | - 00/00/0000 | Field Inspection Flag | - | Old Case Number | - | |
| Response Filed Date | - 00/00/0000 | Verified Date | - 00/00/0000 | Old Judicial District | - | |
| Claim Received Date | - 03/25/1998 | Last Amended Date | - 00/00/0000 | Temporary Right | - T | |
| | | Receipt Number | - | Water District | - | |
| | | POJ Ownership Flag | - N | Federal/State Indicator | - S | |
| | | Name Connector | - | Presumption Flag | - | |
| | | | | Notice of Error Flag | - | |



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

4 May 1998

V R BENSON
1604 W TABER RD
BLACKFOOT ID 83221

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RE: Enlargement Claims A35-13208 & A35-13209

Dear Mr. Benson:

On or about March 25, 1998, when you visited my office, we discussed the need for, and subsequently filed two separate enlargement claims, 35-13208 and 35-13209.

Claim A35-13208 was filed for an additional 66 acres as an enlargement of License 35-07366. Before this claim can be recommended to the court for partial decree, filing fees in the amount of \$116.00 (\$50.00 filing fee and \$66.00 as \$1.00/ac.) must be paid.

35-13209 was filed as an enlargement of 35-07277. We had a lengthy discussion regarding the priority date because of the State Lands lease issue. BLM records suggest the priority date can be verified as far back as July 25, 1978. You indicated you felt the priority date could be verified even further back in time. However, to date, I have not received notification proof of the date you would like. In addition, if this claim is to be recommended to the court filing fees in the amount of \$81.00 (\$50.00 filing fee and \$31.00 as \$1.00/ac.) must be paid.

For these two water right claims to be favorably recommended to the court, the above referenced problems must be satisfied. The deadline for the court recommendation of these two rights is May 18, 1998. Failure to satisfy the above issues will result in the claims being DISALLOWED.

If you have further questions regarding the above-referenced claims, please contact me at the above telephone number or make an appointment to visit.

Respectfully submitted,

Allen B. Ruberry

Allen B. Ruberry
Sr. Water Resource Agent
Adjudications bureau

CC: File(s)



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Upper Snake River Districts
Idaho Falls District Office
1405 Hollipark Drive
Idaho Falls, Idaho 83401-2100

In Reply Refer To:
7250

March 25, 1998

Mr. Al Ruberry
Idaho Department of Water Resources
900 N. Skyline Drive
Idaho Falls, Idaho 83402

Re: Former BLM land located at T.1N, R.32E, S.34 SESE

Dear Al,

This letter is in reference to your request for information regarding the farming history of a parcel of land that was formerly administered by the Bureau of Land Management. According to our records, a serial file (IDI 25630) was established on 2/18/1988 to document an unauthorized agricultural development at T.1N, R.32E, S.34 SESE. The case was closed on 1/10/1989. The last entry on the serial register page (attached) states that "no current trespass exists". Unfortunately, the serial case file no longer resides at our Idaho Falls office, so further information is not available to us at this time. However, we can send for it if you wish; it would take about a week to get here.

I reviewed an aerial photograph dated 7/25/1978 that indicates past farming in the subject tract. It doesn't appear that active farming was occurring at the time of the photo. A 8/20/1962 aerial photograph shows no sign of any farming development in the tract.

I hope this information is helpful. Let me know if you need me to order the serial file.

Sincerely,

Deena Teel
Ecologist

RECEIVED

MAR 25 1998

Department of Water Resources
Eastern Region

PCN: OG216P1
FORM 1274-18DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

PAGE: 1

SERIAL REGISTER PAGE

AS OF: 8/12/92
PRINTED: 8/12/9210-21-1976;090STAT2763;43USC1733
UNAUTHORIZED DEVELOPMENT
COMMODITY- AGRICULTURALCASE TYPE SERIAL NUMBER
292802 IDI 25630-----
NAME AND ADDRESS

B L M

UNKNOWN ID
PARTY-IN-INTEREST 100,00000 X-----
DESCRIPTION OF LAND

BOISE MER
T. 1 N, R. 32 E, BINGHAM COUNTY, ID
IDAHO FALLS DISTRICT BIG BUTTE RESOURCE AREA
SEC. 34: SESE
20,000 ACRES

ACTIONS

| DATE | CODE | TAKEN | REMARKS |
|-----------|------|------------------------|---------------------|
| 2/18/1988 | 387 | CASE ESTABLISHED | |
| 2/18/1988 | 911 | REPORT RECEIVED | |
| 1/10/1989 | 018 | TRESPASS RESOLVED | JF |
| 1/10/1989 | 244 | TERMINATED | |
| 1/10/1989 | 970 | CASE CLOSED | |
| 1/10/1989 | 974 | AUTOMATED RECORD VERIF | JF |
| 1/12/1989 | 042 | CASE SENT TO | ISO |
| 1/17/1989 | 149 | CASE RECEIVED FROM | ISO(943) KM |
| 8/03/1992 | 163 | CASE SENT TO NARA | SEA/049-92-0032; LM |
| 8/03/1992 | 164 | PRC RETRIEVAL NUMBERS | 002-003/29498; LM |

GENERAL REMARKS01 BIG BUTTE RA
02 NO CURRENT TRESPASS EXISTS.


 IDAHO DEPARTMENT OF LANDS

EASTERN IDAHO AREA
 3563 Ririe Hwy., Idaho Falls, Idaho 83401
 Phone (208) 525-7177 Fax (208) 525-7178
 Text Phone (800) 377-3529

STANLEY F. HAMILTON - DIRECTOR

BOARD OF LAND COMMISSIONERS

PHILIP E. BATT
 Governor

PETE T. GENARRUSA
 Secretary of State

ALAN G. LANCE
 Attorney General

J.D. WILLIAMS
 Controller

ANNE C. FOX
 Sup't of Public
 Instruction

FAX COVER SHEET

FAX No. 208-525-7178

TO: Al Ruberry FROM: J Wood
Water Resources Lands

FAX # 525-7177SUBJECT: Benson Water Right

NUMBER OF PAGES 3 DATE 3/25/98
 (Including this page)

MESSAGE The state acquired the subject property
through land exchange from the BLM in 1990. The
property was being farmed and irrigated at that time.
The state lease to Benson (C-8369) was issued in
November, 1990.

The BLM may have old file records that could
indicate when the property was first irrigated - If not
the FSA may have documentation - JWD

KEEP IDAHO GREEN
 PREVENT WILDFIRE

**IDAHO DEPARTMENT OF LANDS**

STATEHOUSE, BOISE, IDAHO 83720

STANLEY F. HAMILTON
DIRECTOR

November 2, 1990

Blaine Benson
2079 West 1200 North
Blackfoot, ID 83221

Re: Lease C-8369

Dear Lessee:

Your State Land Lease, fully executed by the proper State
Officials, is enclosed.

Please read your lease carefully and keep for future use.

Sincerely,

Donna Wiklund
Secretary/Records Manager

enc.

cc: AS-Eastern Idaho

BOARD OF LAND COMMISSIONERS:
CECIL D. ANDRUS
Governor
PETE T. CENARRUS
Secretary of State
JIM JONES
Attorney General
J.D. WILLIAMS
State Auditor
JERRY L. EVANS
Sup'l. of Public
Instruction

DEPT. OF LANDS
BOISE, IDAHO
NOV 6 1990
RECEIVED

CROPLAND LEASE REPORT

Date April 16, 1990

Lease No. _____

Lessee Blaine BensonAddress 2079 West 1200 North Blackfoot Idaho 83221
(Street or P.O. Box No.) (City) (State) (Zip)

| Acres | Description | Sec. | Twp. | Rge. | Endowment |
|-------|-----------------------|------|------|------|-----------|
| 40.00 | SESE | 34 | 1N | 32E | P.S. |
| 1.10 | Pt. NWSW (N of fence) | 35 | 1N | 32E | P.S. |

| | Previous lease
acres | New lease
acres | Normal
Yield/acre | Recommended
rental/acre | Recommended
annual rent |
|--------------|-------------------------|--------------------|----------------------|----------------------------|----------------------------|
| Dryland | | | | | |
| Irrigated | NA | 30.8 | | \$ 20.00 | \$ 616.00 |
| Grazeable | | | | | |
| Wasteland | | 10.3 | | NC | -0- |
| Total acres | | 41.1 | | Sub Total | \$ 616.00 |
| Special uses | None | | | Special use fee | -0- |
| | | | | TOTAL RENTAL | \$ 616.00 |

Disposition Classification RetentionExchange addendum needed: Yes _____ No XImprovements: None _____ See Plat X Expiration date 12/31/99Describe access Good via unimproved dirt roads from Highway 26 or from
Benson's farm to the west

Comments or special provisions:

Lands in this lease were acquired from the BLM in Phase II of the Twin Buttes land Exchange. Prior to the exchange, the BLM did not take trespass action to collect back rental for this cropland.

This lease adjoins the newly created Taber Allotment and will be fenced out of the allotment this year by the Taber Allotment lessee.

A musk thistle control project may need to be coordinated between Blaine Benson, the Taber Allotment lessee and the State for a small infestation established off the east side of Benson's croplands.

Area 3
IDL 1501-4-85Report prepared by: _____
Bob Branmer/sak

STATE OF IDAHO
STATE LAND LEASE

400-13207
ENLARGEMENT
OR A35-07277

LEASE NUMBER: C-8369

This lease agreement is made and entered into by and between the State of Idaho, acting by and through the State Board of Land Commissioners (lessor) and Blaine Benson (lessee)
2079 West 1200 North Blackfoot IO 83221
(Address) (City) (State) (Zip)

This lease shall commence January 1, 1990 and terminate December 31, 1999.

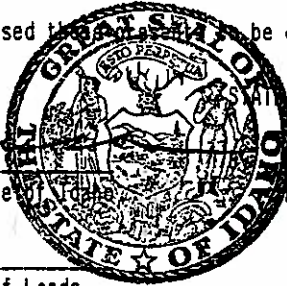
The annual rent payment is due on JANUARY 1 of each year.

The lessor, in consideration of the rental paid and the covenants, conditions and restrictions hereinafter set forth, in attachment B, does hereby lease and demise unto the lessee the lands described in attachment A at the rates and uses specified herein; grazing .00 acres containing .00 AUMs, cropland .00 acres of dryland at .00 per acre, 30.80 acres irrigated land at 20.00 per acre and 10.30 acres of wasteland at .00 per acre, miscellaneous .00 per annum, or .00 premium bid.

IN WITNESS WHEREOF, The parties hereto have caused this instrument to be duly executed the day and year first above written.

COUNTERSIGNED:

Stanley F. Hamilton Secretary of the State of Idaho
Cecil D. Andrus President of the State Board of Land Commissioners and Governor of the State of Idaho



STATE OF IDAHO

COUNTY OF Ada

On this 1st day of November, in the year 1990, before me, a Notary Public in and for said State, personally appeared Cecil D. Andrus, known to me to be the president of the State Board of Land Commissioners of the State of Idaho and the Governor of the State of Idaho; and Pete T. Cenarrusa, known to me to be the Secretary of the State of Idaho and Stanley F. Hamilton, known to me to be the Director, that executed the within instrument, and acknowledged to me that the State Board of Land Commissioners of the State of Idaho and the State of Idaho executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year last above written.

Residing at Laurel, Idaho, Commission expires 3/26/96 Carole J. Lewis
Notary Public for Idaho

***** L E S S E E *****

STATE OF IDAHO

Blaine Benson (lessee)
Kerry G. Benson (lessee)

COUNTY OF Bingham

On this 12th day of October, in the year 1990, before me, a Notary Public in and for said State, personally appeared Blaine Benson

known to me to be the lessee that executed the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year last above written.

Residing at Blackfoot, Idaho, Commission expires 8-12-94 Sharon B. Riddle
Notary Public for Idaho

STATE OF IDAHO
STATE LAND LEASE

LEASE NUMBER: C-9369

PAGE 2

ATTACHMENT A

DESCRIPTION OF PROPERTY:

| COUNTY | ACRES | SUBDIVISION DESCRIPTION | SEC. | TWP. | RGE. | ENDOW. |
|---------|-------|-------------------------|-------|------|--------|--------|
| BINGHAM | 40.00 | SESE | 34 00 | 1 N | 32.0 E | PS |
| BINGHAM | 1.10 | PT NWSW (N OF FENCE) | 35 10 | 1 N | 32.0 E | PS |

ATTACHMENT B

This lease is made pursuant to the laws of the State of Idaho and the Rules and Regulations governing grazing leases and cropland leases, IDAPA 20.13.

1. USE OF LAND

The lands herein described shall be used for the purpose of grazing and farming as specified on the signature page; no other uses shall be made of these lands without the prior written approval of the lessor.

2. RECLASSIFICATION OF LAND USE

At the sole discretion of the lessor, lands under this lease may be reclassified in whole or in part for agricultural, commercial, homesite, or other purposes that would result in increased rentals to the lessor. For uses other than cropland or grazing the lands affected will be dropped from the lease.

3. RATE OF RENT — CHANGE OF RENT

Lessee agrees to pay to the lessor, in lawful money of the United States, each year's rent in advance, and prior to the legal possession of the property for such year, an annual rent for each acre of cropland and every AUM covered by this lease. The rent shall be payable on or before the date specified on the signature page. The lessor reserves the right to increase or decrease the annual rent, and the lessee will be notified six months in advance of the first payment of any increase.

4. RIGHT OF LESSOR TO SELL — APPRAISAL OF IMPROVEMENTS — APPROVAL OF IMPROVEMENTS REQUIRED

The lessor reserves the right to sell all or any portion of the land herein described and the lessee agrees to deliver immediate possession unless the lessee is to be permitted to harvest a growing crop. In such event, lessee shall have possession of only the land on which such crops are growing. The lessee will be notified of a scheduled sale at least thirty (30) days prior to sale date. When creditable improvements or growing crops are present, they will be appraised in accordance with Idaho Code, Section 58-313, by the lessor and the lessee will be paid for the improvements or crops by the purchaser on the day of sale; lessor's appraisal shall be conclusive.

Prior written approval of lessor is required to make permanent range improvements, construct permanent buildings, or clear the land for agricultural uses. Failure to secure such written approval shall constitute forfeiture of the value of such improvements in case of sale or lease conflict.

5. RENEWAL OF LEASE — APPRAISAL OF IMPROVEMENTS

If the lessee is not the successful bidder at the expiration of this lease then the value of improvements recognized in Section 4 above shall be paid by the successful bidder to the lessee prior to possession provided no delinquent rent is owed. Improvement payments shall be applied towards any rent due before being disbursed to lessee.

6. RELINQUISHMENT OF RIGHTS

The lessee agrees to relinquish possession of the leased premises upon breach of any of the conditions herein set forth, with all permanent improvements thereon in good order and condition when such breach results in cancellation or forfeiture of this lease.

7. TIMBER ON LAND UNDER LEASE — STATE FIRE LAWS

This lease is made subject to all present and future timber sale contracts. The lessor reserves the right to restrict or prohibit grazing use on all or portions of the land leased for timber management purposes. The lessee will be given one hundred eighty (180) days written notice, prior to turn out of livestock on the lands leased, of any such restrictions or termination of grazing use, together with a map of the restricted area. This lease does not authorize the lessee to cut any timber growing on the land leased; any unauthorized use of such timber by the lessee or with his knowledge or consent, shall work a forfeiture of his lease without notice, and said lessee shall be responsible for treble damages to said timber. Lessee is subject to the provisions of state fire laws except for fire protection charges.

8. MINERAL RESERVATIONS

This lease is subject to any mineral lease (including oil, gas and geothermal resource leases) that is now in force or effect or that may hereafter be granted on the lands or any part thereof included herein as provided by Title 47, Idaho Code; provided, however, when a mineral lease is granted after the granting of this lease, the mineral lessee shall give a good and sufficient bond to protect the lessee herein from all damage occasioned to the surface of the lands embraced in this lease, or improvements thereon, whether the damage is due to mineral extraction or rights-of-way or other activities incident to mineral extraction.

9. GRAZING REGULATIONS

For grazing use, the grazing period and the number of stock may be fixed and determined by the lessor. The grazing lessee shall furnish such information as may be required from time to time, to assist in determining the grazing period and number of stock to be grazed. A lessee may be required to participate in a resource management plan which includes all or part of the lands described herein. Any written agreement concerning a management plan will be a condition of this lease.

Where sheep are grazed on land included in this lease, they shall not be bedded more than two nights consecutively on the same bedding ground without prior approval of the lessor.

10. PAYMENTS OF TAXES AND WATER CHARGES

Unless otherwise provided, the lessee shall pay all water charges, assessments or taxes of whatsoever nature that may be legally levied or assessed against the land herein described, or any portion thereof, and if the same is not paid it shall constitute a lien in favor of the State of Idaho against all improvements or crops growing on said land.

11. SUBLEASING — ASSIGNMENT

The lessee shall not sublease any of the land embraced in this lease without prior written approval of lessor. The lessee shall not assign this lease except upon the written approval of the lessor on forms provided for that purpose, and only where the rent owing has been paid in full, except that if a rental extension has been granted, such extension shall be assumed by the assignee and if improvements exist, such will be purchased by the assignee.

12. RIGHT OF ENTRY AND INSPECTION — ABANDONMENT

The lessor reserves the right to enter upon land, or any portion thereof, during the term of this lease for the purpose of inspecting the property. Should any of the property covered by this lease be abandoned, or the lease cancelled or forfeited for any breach of condition herein contained, all improvements placed upon the property by the lessee shall remain a part of the reality and title thereto shall vest in the State of Idaho.

13. LESSOR PROTECTED AGAINST WASTE — NOXIOUS WEED CONTROL

The lessee shall use the property under this lease in such manner as will best protect the State of Idaho against loss or waste, and shall cooperate with the lessor or any other agency authorized to undertake programs for control or eradication of noxious weeds. The lessee shall take measures to control noxious weeds on the leased land in accordance with title 22, chapter 24, Idaho Code. Control of noxious weeds on state grazing lands shall be shared jointly by the lessee and lessor with the lessor's share subject to funds appropriated for that purpose.

14. FORFEITURE OF LEASE

In case the lessee fails to comply with any of the covenants, terms or conditions of this lease, the lessor may forfeit or cancel the lease upon ten days notice to the lessee and the lessee shall not, during the period of notice, remove any of the improvements or crops thereon, whether the crops have been harvested or not. The lessee shall, upon lease expiration, deliver immediate possession of the lands herein to the lessor without further notice or demand.

15. EASEMENTS

The lessor reserves the right to grant easements and rights-of-way across or upon the land described in this lease and to grant immediate possession thereof to the grantee of such easement. The lessor shall coordinate with the lessee before processing any easement applications on the leased land. The grantee of such easement shall, before exercising the same, pay to the lessee the reasonable value of the growing and immature crops and improvements, as determined by the lessor's appraisal; lessor's appraisal shall be conclusive. This lease is subject to any right-of-way or easement heretofore granted over the lands embraced by this lease.

16. PUBLIC USE

The lessee must allow the general public the right to use the lands described in the lease for outdoor recreation. However, nothing in this lease authorizes or purports to authorize trespass on private lands to reach state-owned lands. State lands shall not be restricted without prior written approval of the lessor. Grazing or cropland leases will not be considered exclusive use leases as described under Idaho Code, Section 36-1603.

17. WATER RIGHTS

The establishment of any water right or rights shall be by and for the lessor, and no claim thereto shall be made by the lessee; such rights shall attach to and become appurtenant to said land. The lessee shall not cause any water to be conveyed off the land without prior written approval of the lessor.

18. SEED HARVEST

The lessor reserves the right to harvest seed from plants on land not under a cropland lease. The lessor will coordinate the harvesting activities with lessee to minimize impacts on livestock operations.

19. ROAD CLOSURE

The lessor reserves the right to close roads for road protection, wildlife protection or administrative purposes. Planned road closures will be reviewed with lessee prior to action. The lessee will have the right to appeal to the Land Board decisions affecting his use.

20. LIABILITY

The lessee shall indemnify and hold harmless the lessor, it's departments, agencies and employees for any and all claims, actions, damages, costs and expenses which may arise by reason of lessee's occupation of the leased premises, or the occupation of the leased premises by any of the lessee's agents, or by any person occupying the same with the lessee's permission.

21. BINDING ON HEIRS

All of the terms, covenants, and conditions of this lease shall be binding upon the heirs, executors and assigns of the lessee.

22. CIVIL RIGHTS

The lessee shall not discriminate against any person on the basis of such person's race, creed, color, sex, national origin or handicap.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A35-13209
Date Received: 3/25/1998
Receipt No: ~~2777777~~ 046248
Received By: *[Signature]* 10/22/99

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: V BLAINE BENSON 208-684-4685
Address: 2079 W 1200 N
BLACKFOOT ID 83221 4993

2. Date of Priority: ~~APR 5, 1973~~ 7/25/1978

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|---------|
| 01N | 32E | 34 | NW | SW | SE | | BINGHAM |

5. Description of diverting works:
WELL, MAINLINE TO PIVOTS

6. Water is used for the following purposes:

| Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 10/31 | 0.320 | | |

7. Total Quantity Appropriated is:
0.320 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use | Acres |
|----------|-------|---------|--------|--------|-----|-----|-------|
| 01N | 32E | 34 | SE | SE | | IRR | 30.8 |

Section Acres 30.8

10. Place of Use: Continued

Total Acres 30.8

11. Place of use in counties: BINGHAM

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM IS FILED ON STATE LANDS UNDER LEASE C-8369.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

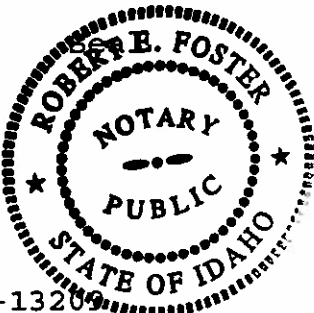
Signature of Claimant(s): *J.R. Benson* Date: 7/19/99

Date: _____

State of Idaho)
County of Lemhi) SS.

Subscribed and sworn (or affirmed) before me this 19th day
of July 19 99

Robert E. Foster
Notary Public



Residing at Salmon Id.
My Commission Expires 02-16-2001

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 35-7277 (late proof) Priority April 5, 1973 Amount 4.45 cfs

THIS IS TO CERTIFY, that V. R. Benson
of Blackfoot, Idaho, has complied with the terms and conditions of Permit
No. 35-7277 issued pursuant to Application for Permit dated February 15, 1973,
and has submitted proof to the Department of Water Resources on May 20, 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 4.45 cfs of water from a ground water source,
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>Irrigation</u> | from <u>April 1</u> to <u>November 1</u> | <u>4.45</u> cfs and | <u>1519</u> acre feet |
| | from _____ | _____ cfs and | _____ |
| | from _____ | _____ cfs and | _____ |

(both dates inclusive)

Subject, however, to the condition that no more than 4.45 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 for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1519 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, Twp. 1N,
Rge. 32E, R.M. in the County of Bingham

Description and location of 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 | |
| 1N | 32E | 33 | | | | | | | | | | | | | | | | | 158 |
| | | 34 | | | | | | | | | | 40 | 39 | 39 | 39 | 40 | 40 | 39 | 276 |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

Total number of acres irrigated 434

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 27 day of March, 19 79.

Deputy Director

7/6

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder V. R. Benson
Post office address Route 5, Box 101, Blackfoot, Idaho
Person to contact _____ Phone JUN 10 1975
2. Source of water supply: Groundwater ☒ Surface water ☐ _____
Tributary to _____

RECEIVED
JUN 10 1975
Department of Water Resources
(not for District Office)

3. Water will be used for the following purposes:

Amount 5.00 c.f.a. for Irrigation
AF/Annum (nature of use)

Period of Use: from April 1 to Nov. 1
(mo.-day) inclusive (mo.-day)

| Amount | c.f.s. for | (nature of use) |
|--------|------------|-----------------|
| 17.2 | AF/Annum | |

Period of Use: from _____ to _____
(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 5.00 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversions

Location of Point(s) of Diversion: P.D. is corner common to the
Township 1N N/S, Range 32E E/W, B.M., Section 34, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Bingham
NW $\frac{1}{4}$ SE $\frac{1}{4}$ County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____ County _____

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$ _____ County _____

Other Points of Diversions: _____

rock. Equipped with 500 hp electric motor and turbine pump. Water is pumped into sprinkler system.

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

[illegible]

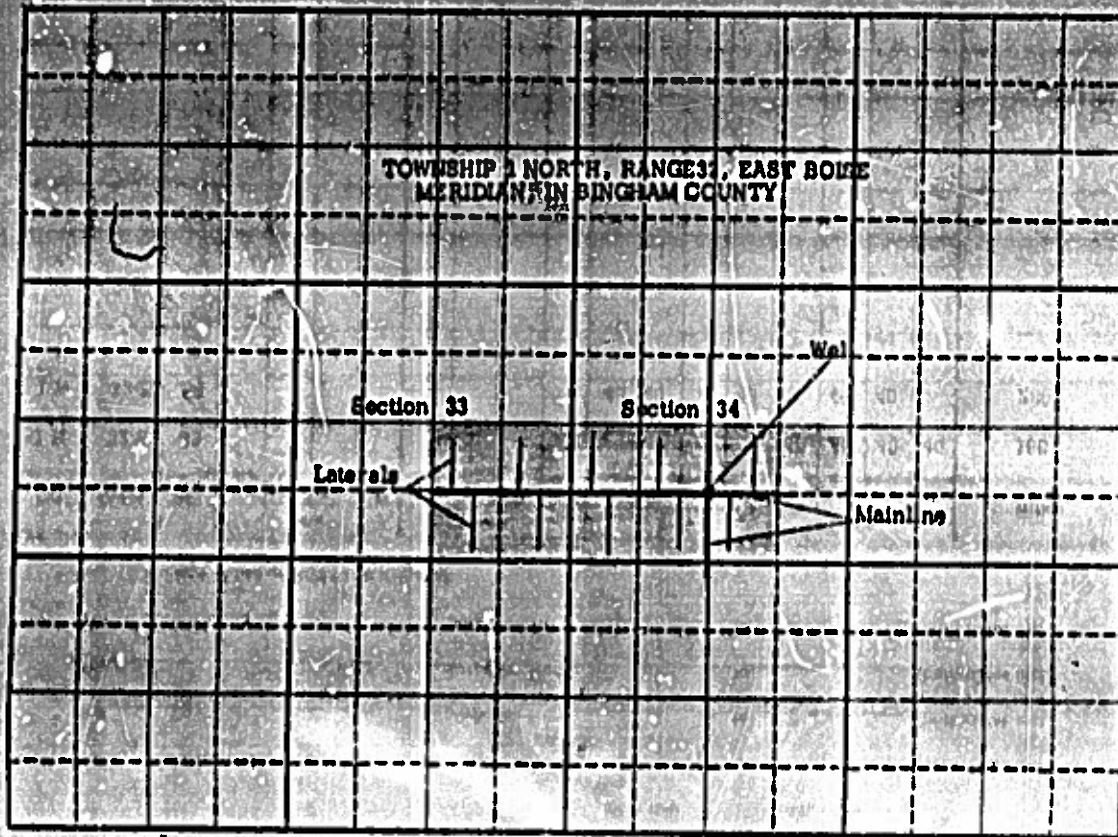
TOTAL ACREAGE _____ **440**

West of Water Administration
Eastern District Office

35 7277

35 7277

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40 acre subdivisions, sections, townships, ranges, and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Blackfoot, Idaho this 7th day of January, 1974.

[Signature]
(signature)

ACTION OF STATE RECLAMATION ENGINEER

I, R. KEITH HIGGINSON, State Reclamation Engineer of the State of Idaho, hereby approve the above application for amendment for Permit No. 35-7277.

Witness my hand this 15 day of January, 1974

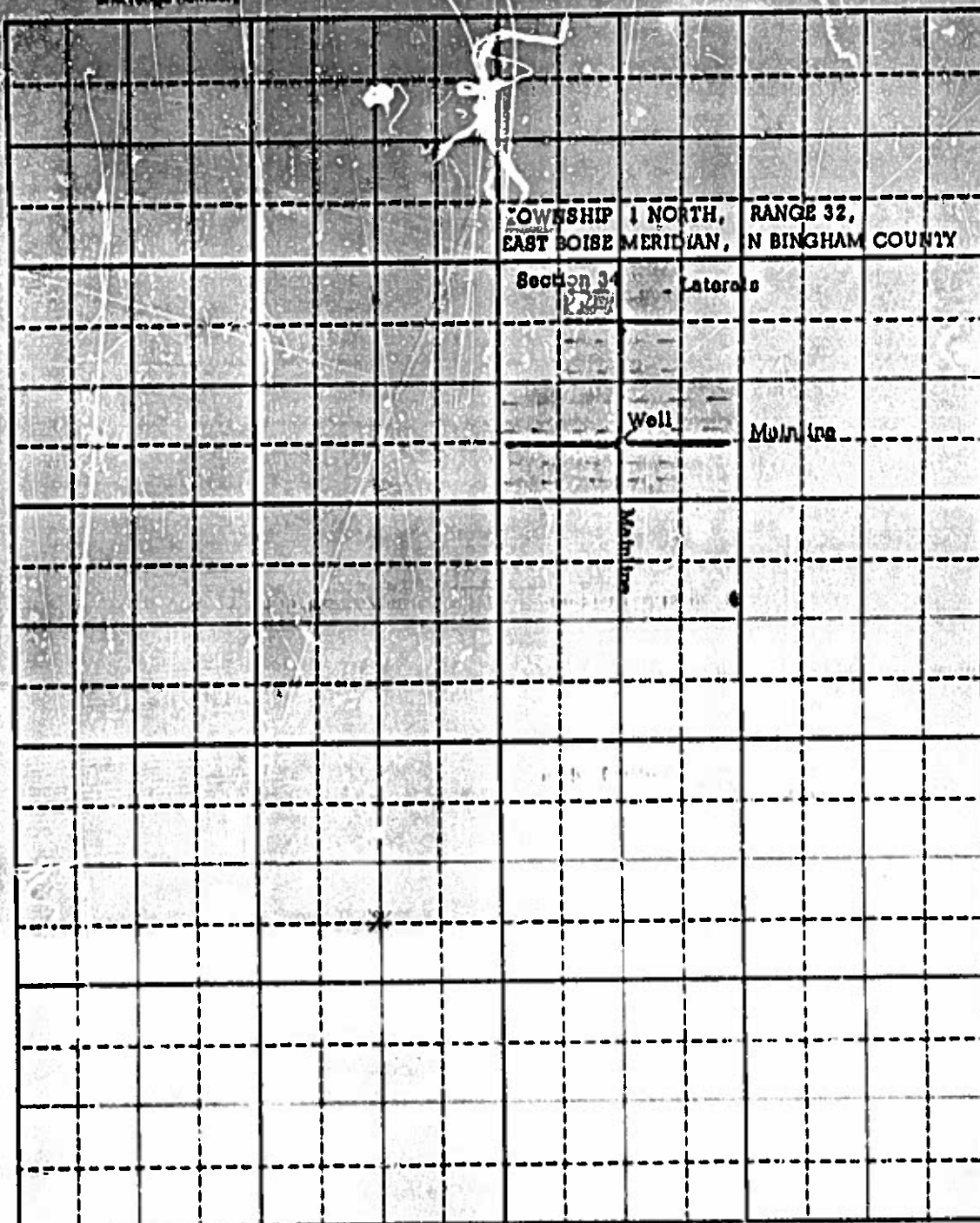
[Signature]
State Reclamation Engineer

EX-100 ENGINEER'S OFFICE
BOISE, IDAHO

JAN 30 1974

RECEIVED

11. Map of proposed project show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

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.

V. P. Benson
(Applicant)

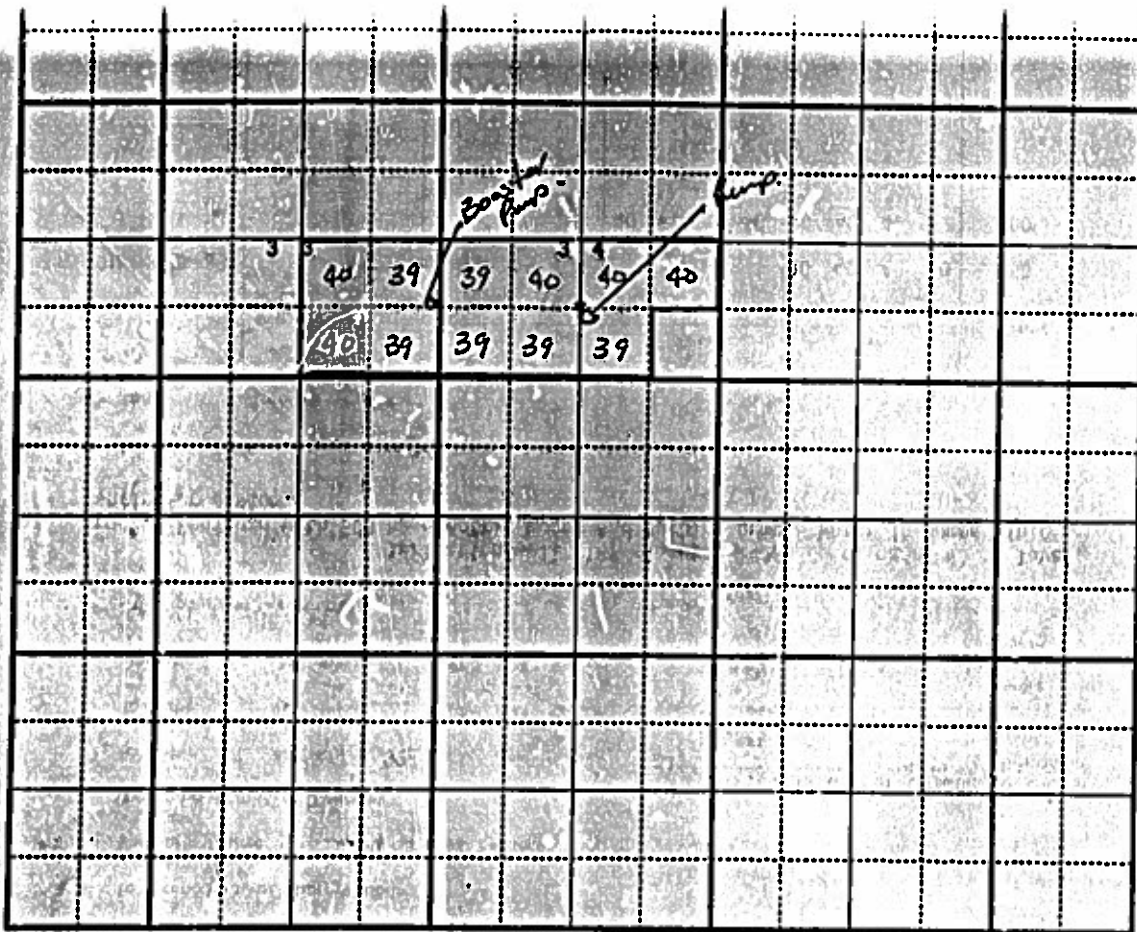
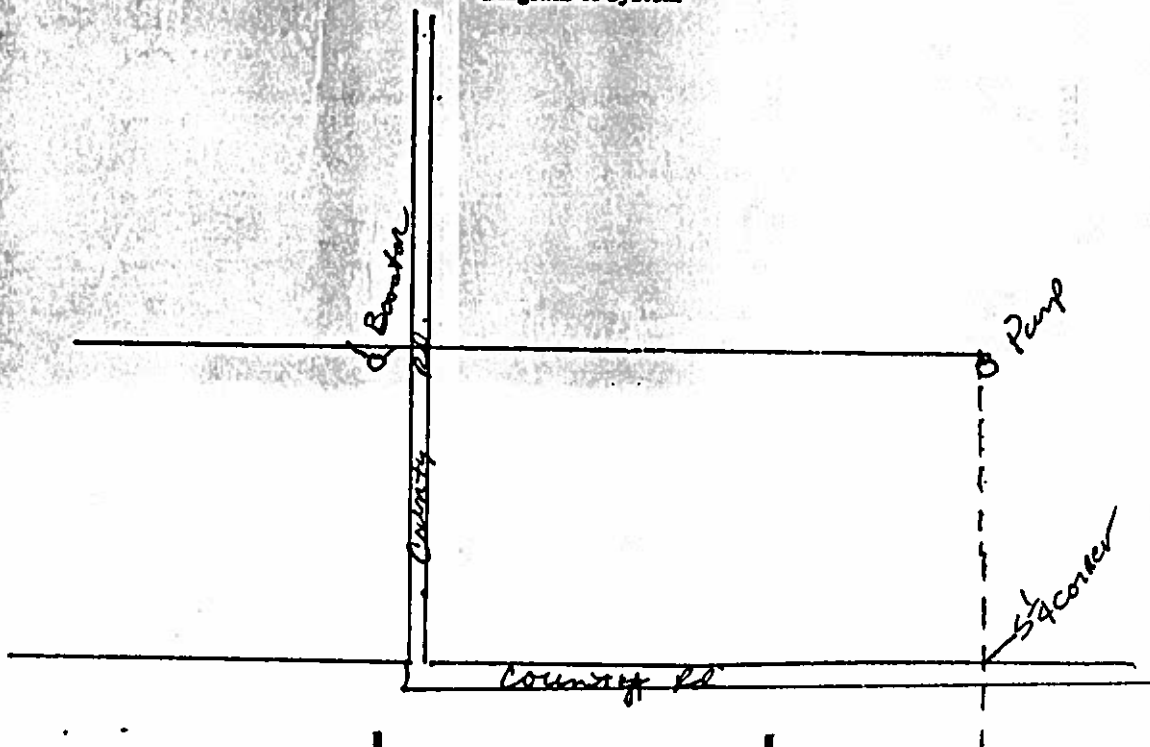


Diagram of System



DATE OF EXAM July 19, 1975

DATE OF EXAM July 19, 1975

ACREAGE
Found 434
Recommended 434

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = 4.45 c.f.s. V = 1519 AF/Ann. from Ap1 to Dood
Domestic Q = c.f.s. V = AF/Ann. from to
Livestock Q = c.f.s. V = AF/Ann. from to

Is water co-mingled? yes no

Name source: N.A.
Twp. N/S, Rge 1, E/W, B.M., Sec 33, Sub 1/4, County

Exchange? yes no

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

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

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

Total Q measured 4.45 cfs Method of measurement In line Meter

Total Q recommended 4.45 cfs Meter No M44156 Type Baker Condition ?

Total V recommended 1519 AF/Ann

Recommended Amendments:

P.D.
Place of Use
Other
None X

MEASUREMENT CALCULATION:

$Q = 2,000 \text{ gal/min} = 4.45 \text{ cfs}$
 $V = 3.5 \times 434 \text{ Ac} = 1519 \text{ AF/Ann}$

SYSTEM DESCRIPTION:

500 Hp G.E. Motor Ser #CH329011
Laure & Barker Pump No Ser #
12" discharge North To Buried E-W main
15 gpm wheel lateral
Booster: 30 Hp U.S. Motors Ser #00327 Peerless Pump Ser #34580608

REMARKS:

Examiner's Signature Bill Rhoads Date Aug 20, 1975

Checked by Ernest M. Carlson Date Oct 22, 1976

Approved by Date

