

Before Split

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

5/5/2020

Water Permit 63-33849

Owner Type **Name and Address**
Current Owner DAVID BENSINGER
7258 N SPRINGCREST PL
MERIDIAN, ID 83646
(208) 846-9665

Current Owner DEBORAH BENSINGER
7258 N SPRINGCREST PL
MERIDIAN, ID 83646
(208) 846-9665

Priority Date: 8/29/2013

Status: Active

Source **Tributary**
GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	03/01	11/15	1.700 CFS	
STOCKWATER	01/01	12/31	0.030 CFS	
	Total Diversion		1.730 CFS	

Source and Point(s) of Diversion

GROUND WATER	SESE	Sec. 9, Twp 05N, Rge 01W, ADA County
GROUND WATER	NWSE	Sec. 9, Twp 05N, Rge 01W, ADA County

Place Of Use

STOCKWATER within ADA County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	01W	9													X	X	X	X	

IRRIGATION within ADA County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	01W	9													40.0	32.0	40.0	40.0	152.0

POU Total Acres: 152.0

Conditions of Approval:

1. 26A Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.
2. 004 This right does not grant any right-of-way or easement across the land of another.
3. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho

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4. 01M Code and applicable Well Construction Rules of the Department.
After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
5. 121 The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.
6. X27 This right is limited to the irrigation of 85 acres within the authorized place of use in a single irrigation season.
7. 020 The diversion and use of water described in this right may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.
8. 073 Diversion and use of water with a temperature greater than 85 degrees Fahrenheit is not authorized under this right.
9. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
10. X02 Stockwater use is for 100 range cattle.

Comments:

1. scurtis 6/26/2014 POD
Updated Shape
2. scurtis 6/26/2014 POU
Updated Shape
3. dblock 6/11/2019 Extension of Time
Extension request filed and granted based on due diligence pursuant to Idaho Code § 42-204(4). The 5 years originally granted and the 5 years of this extension brings the development period up to 10 years of the 15 year period allowed under Idaho Code § 42-204(4). Proof due extended to July 1, 2024.

Dates and Other Information

Permit Proof Due Date: 7/1/2024
Permit Approved Date: 7/1/2014
Owner Name Connector: AND/OR
Water District Number: TBD
Generic Max Rate Per Acre: 0.020
Generic Max Volume Per Acre: 4.5
Mitigation Plan: False

Combined Use Limits

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N/A

SubCase:

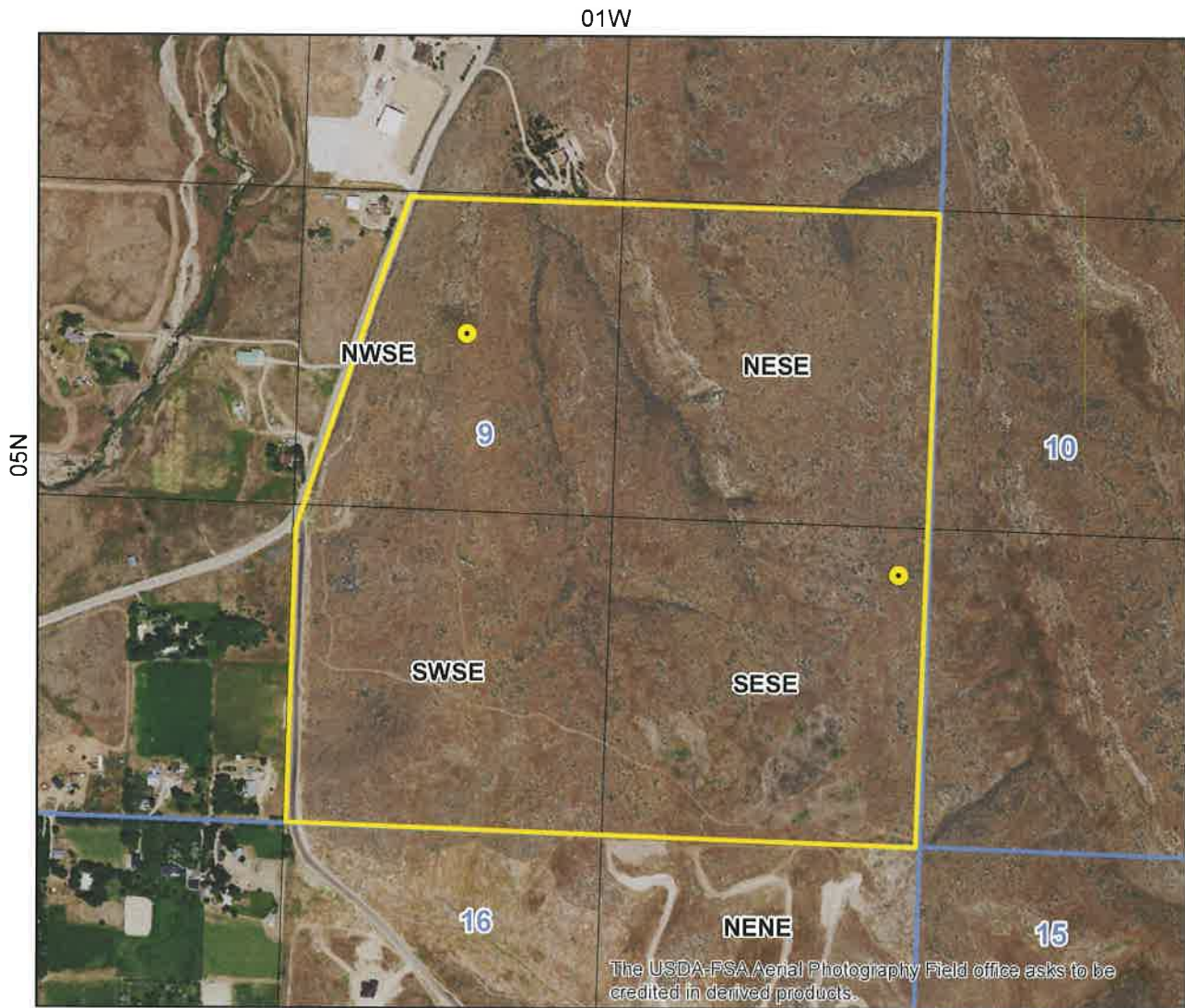
N/A

Water Supply Bank:

N/A

State of Idaho
Department of Water Resources
Water Right Before Split
63-33849

This map depicts the IRRIGATION & STOCKWATER place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.075 0.15 0.3 Miles



After Split

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Priority Date: 8/29/2013

Status: Active

Source **Tributary**
GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	03/01	11/15	0.440 CFS	
STOCKWATER	01/01	12/31	0.010 CFS	
	Total Diversion		0.450 CFS	

Source and Point(s) of Diversion

GROUND WATER	SESE	Sec. 9, Twp 05N, Rge 01W, ADA County
GROUND WATER	NWSE	Sec. 9, Twp 05N, Rge 01W, ADA County

Place Of Use

STOCKWATER within ADA County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	01W	9													X	X	X	X	

IRRIGATION within ADA County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	01W	9													4.0	5.0	8.0	6.0	23.0

POU Total Acres: 23.0

Conditions of Approval:

1. 26A Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.
2. 004 This right does not grant any right-of-way or easement across the land of another.
3. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho

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5. 121 The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.
6. X27 This right is limited to the irrigation of 22.0 acres within the authorized place of use in a single irrigation season.
7. 020 The diversion and use of water described in this right may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.
8. 073 Diversion and use of water with a temperature greater than 85 degrees Fahrenheit is not authorized under this right.
9. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
10. X02 Stockwater use is for 100 range cattle.

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4. AKaiser 5/5/2020 Split Right
Split into 63-34895.
5. AKaiser 5/6/2020 POU
Updated Shape

Dates and Other Information

Permit Proof Due Date: 7/1/2024

Permit Approved Date: 7/1/2014

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Proof Report

5/6/2020

Owner Name Connector: AND/OR
Water District Number: EXC
Generic Max Rate Per Acre: 0.020
Generic Max Volume Per Acre: 4.5
Mitigation Plan: False

Combined Use Limits

N/A

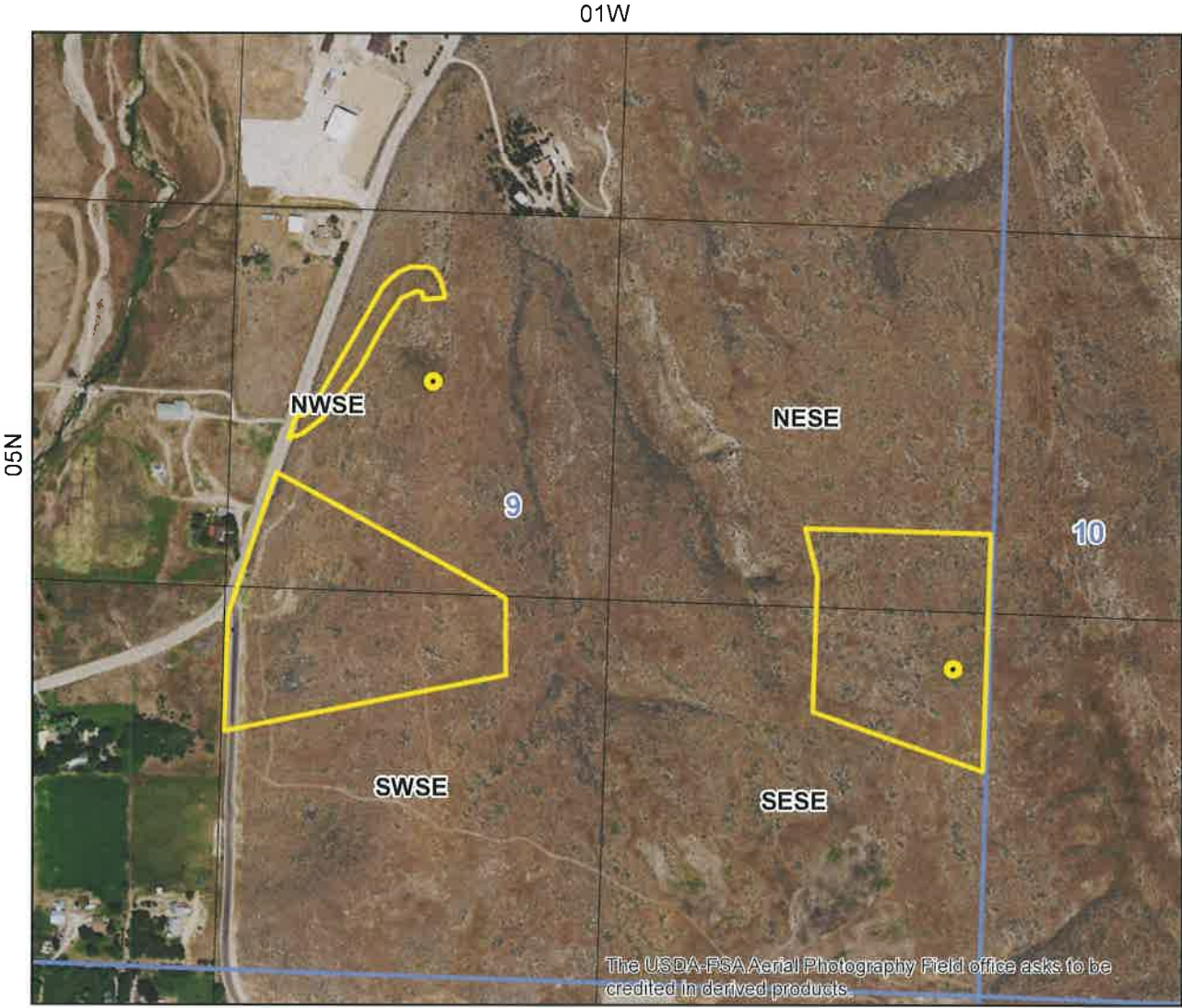
SubCase:

N/A

Water Supply Bank:

N/A

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