

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

6/3/2020

Water Permit 41-7013

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DONALD S BENSON , ZZ

Status: Relinquished

<u>Source</u>	<u>Tributary</u>
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<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
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Source and Point(s) of Diversion

Place Of Use

Conditions of Approval:

Comments:

Dates and Other Information

Water District Number: TBD
Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A

R E L I N Q U I S H M E N T

TO WHOM IT MAY CONCERN:

I hereby relinquish to the State of Idaho,
all my right, title and interest in and to Permit to appropriate
the Public Waters of the State of Idaho, No. 41-7013.

Signed at Twm Falls this 2 day
of October, 19 87.

Don Benson
Permit Holder

ATTEST:

Loren D. Halmer

RECEIVED

NOV 16 1977

RECEIVED

NOV 1 1977

Identification No. _____

Department of Water Resources
Southern District OfficeApplication No. 41-7013

STATE OF IDAHO

RECEIVED

Department of Water Resources
Southern District OfficeDEPARTMENT OF WATER ADMINISTRATION
RESOURCES

ASSIGNED TO:

Donald S. Benson
Rockland, Idaho

APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)Department of Water Resources
Southern District Office

Benson

548-2330

1. Name of applicant Fall Creek Ranch, A Partnership
post office address Box 211, Rockland, Idaho Ph: 548-2956
2. Source of water supply Fall Creek which is a tributary of Snake River
3. a. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 28 Township 9S
Range 29E B.M. Power County; additional points of diversion if any:
SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29, T. 9S, R. 29E
- b. If water is not consumed, it will be discharged into Fall Creek @ NW $\frac{1}{4}$ SE $\frac{1}{4}$ at point in Sec 28
or SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29 Township 9S Range 29E B.M. Power
4. Water will be used for the following purposes:
Amount 10.0 for Fish Prop. purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 10.0 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Headgate, open channel to raceways,
12 concrete raceways, 10 ft. by 100 ft, open channel return to Fall Creek.
- b. Height of storage dam None feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is None inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$ 50,000.
8. Description of proposed uses:
a. If water is **not** for irrigation: SE NE 29
NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 28 Township 9S
Range 29E B.M.
(1) Give the place of use of water:
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____
(4) Name of municipality to be served _____, or number of families to be supplied with domestic water: _____
(5) If water is to be used for other purposes describe: Fish propogation to sell fish for commercial purposes.

41-7013

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

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

Total number of acres to be irrigated _____

c. Describe any other water rights used for the same purposes as described above. None

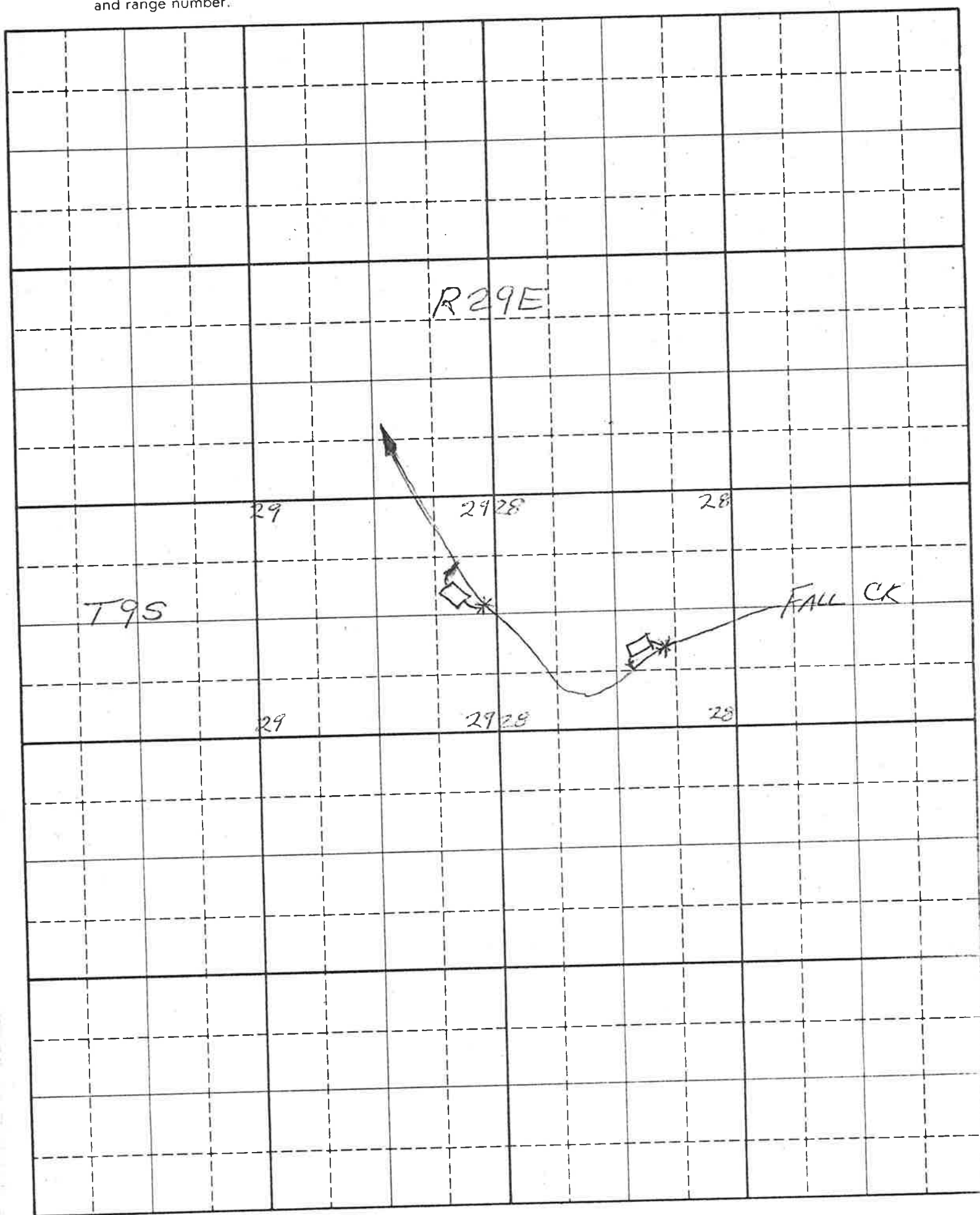
9. a. Who owns the property at the point of diversion Applicant

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Fall Creek Ranch is a partnership composed of Donald S. Benson and Alene Benson, husband and wife, and Robert Harvey Smith and Dixie Vivian Smith, husband and wife.

10. Remarks Only one project is proposed by this application. Although two possible locations are listed only one will be used and the water will only be diverted once.

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.

Ronald L. Benson
(Applicant)
General Partner

7-31-74

Received by CB Date 7/31/74 Time 9:30A.

Preliminary check by NCY Fee \$ 115.00

Receipted by CB Date 7/31/74 # 12993

Publication prepared by LT Date 8-1-74

Published in Power County Press

Publication dates 8-8 & 8-15-74

Publication approved _____ Date _____

Priority reduced to _____ Reason _____

Protests filed by: George Osborn - 8-14-74

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by EST JB

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 41-7013, and said application is hereby APPROVED.

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

- SUBJECT TO ALL PRIOR WATER RIGHTS.
- Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 1982.
- Other: Measuring devices of a type approved by this Department shall be permanently installed and maintained at both the inlet and outlet works.

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

Witness my hand this 15 day of November, 1977.


Deputy Director

November 7, 1977

Mr. John B. Kuglar
Attorney at Law
1156 East Center, Box 1478
Pocatello, ID 83201

Dear Mr. Kuglar:

I am returning the enclosed Application for Amendment, pertaining to Donald B. Benson. Since the Application for Permit No. 41-7013 has not yet been approved, this form would not be applicable. The amended application you sent to our office will make the proper changes to application No. 41-7013.

If you have any further questions, please feel free to contact this office.

Sincerely,

James E. Stanton
Water Resource Agent

JES:sm

Enclosure

RECEIVED
JUN 23 1977
Department of Water Resources
Boise District Office

Identification No. _____
Application No. 41-7013 (Amended)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Donald S. Benson Phone: 548-2956
post office address Box 211, Rockland, ID 83271
2. Source of water supply Fall Creek which is a tributary of Snake River
3. a. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 28 Township 9S
Range 29E B.M. Power County; additional points of diversion if any: _____
SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29, Twp. 9S, Rge. 29E., B.M.
- b. If water is not consumed, it will be discharged into Fall Creek at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 10.0 for fish propagation purpose from Jan 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 10.0 cfs cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Headgate, open channel to race-
ways, 12 concrete raceways, 10 ft. by 100 ft., open channel return
to Fall Creek.
- b. Height of storage dam none feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$50,000.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 29 Township 9S
Range 29 E B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____
(5) If water is to be used for other purposes describe: Sell fish for commercial purposes.

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

[illegible]

Total number of acres to be irrigated_____

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

None

9. a. Who owns the property at the point of diversion Applicant

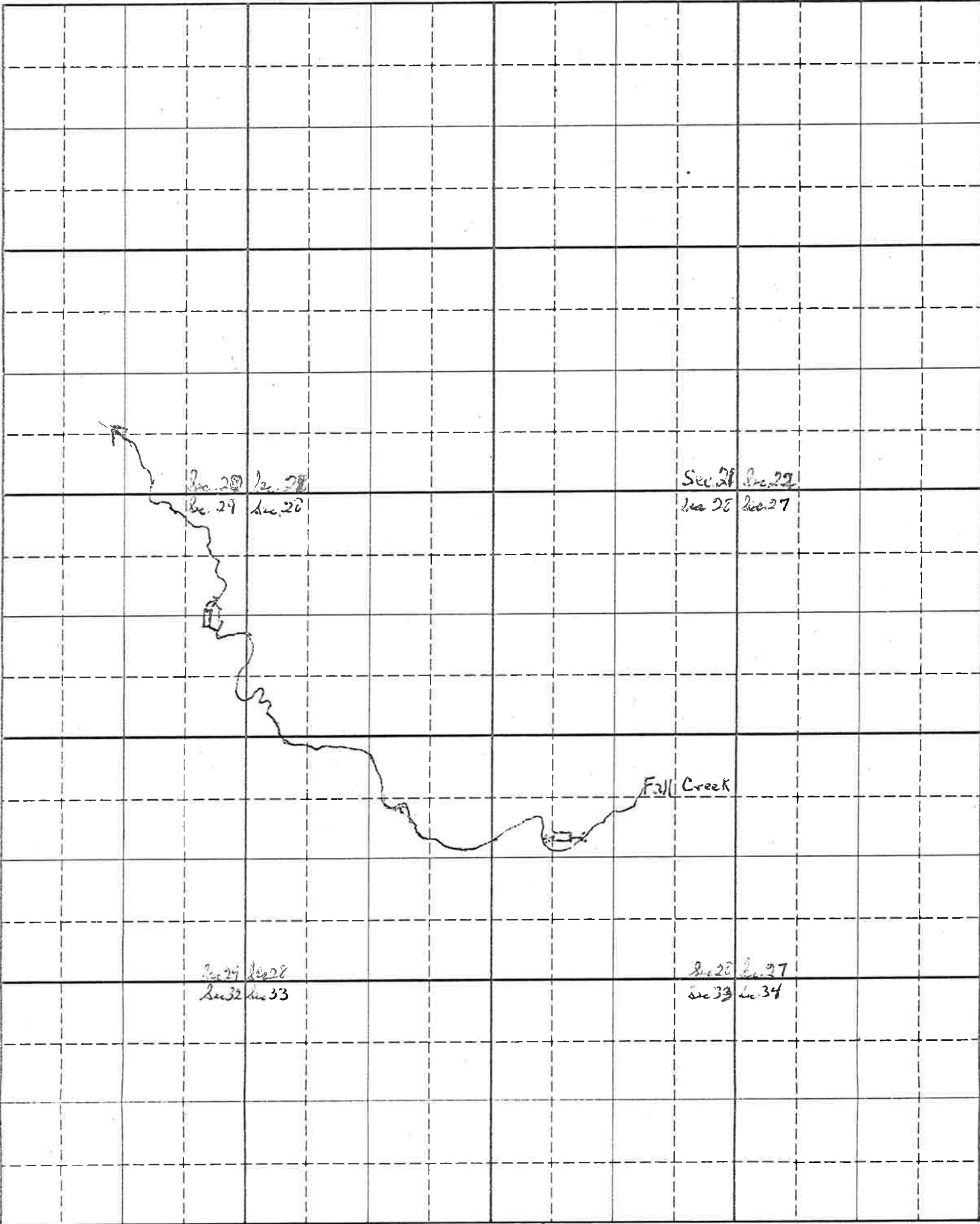
b. Who owns the land to be irrigated or place of use Applicant

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

10. Remarks _____

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

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.

Ronald S. Benson
(Applicant)

Received by _____ Date _____ Time _____

Preliminary check by _____ Fee \$ See memo attached

Receipted by _____ Date _____

Publication prepared by _____ Date _____

Published in not required

Publication dates _____

Publication approved _____ Date _____

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by mls

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

c. Other: _____

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

Witness my hand this _____ day of _____ 19____.

Director