

Cinder Pit

4813

WEST

2100

SECTION 16

TOWN: 111D

1

RANGE 32

EAST

BM 4776

4781

WEST

2000

BM 4804

Well 4802

4809

PLACE OF USE AND POINT OF DIVER

Well

Well 4711

Well 4755

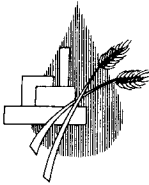
BM 4755

BM 4762

FIC

Received by SM Date 3-25-83 Exception filed by: _____ Forwarded to _____ Date _____
 Prelim check by ASL Date 3-23-83 claimant by: _____
 \$10.00 fee received by BP Date 3-25-83 # 25558
 Published in Blackfoot news _____
 Dates 4/7 & 4/14/83 _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Clifford Benson
(Name of Claimant)
541 E. Halliday, Pocatello, Idaho 83202 Telephone No. 232-8648
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) January 16, 1917

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Groundwater tributary to _____

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, af)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>.04 cfs</u>	Use	<u>Domestic</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity	<u>.05 cfs</u>	Use	<u>Stockwater</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity	_____	Use	_____	Period of Use From _____	To _____
Quantity	_____	Use	_____	Period of Use From _____	To _____
Quantity	_____	Use	_____	Period of Use From _____	To _____

(4) .09 cfs TOTAL QUANTITY USED.

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE ¼ NE ¼, Sec. 10 Twp. 1S Rge. 32E B.M., County of Bingham
Additional points of diversion: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Well

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

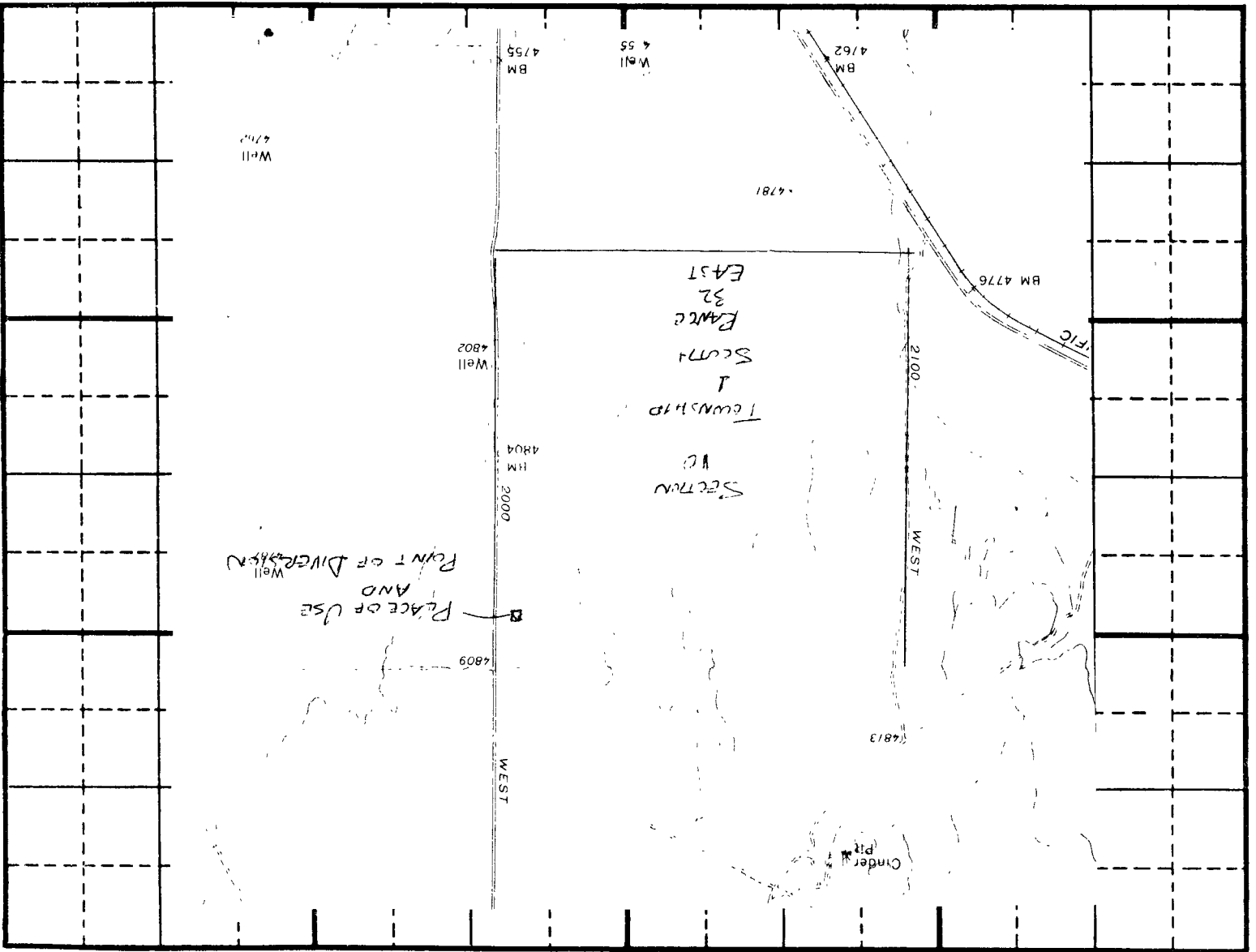
T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1S	32E	10	X																

No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Domestic use at one home

NOTE: Include here the type and number of stock watered: 150 head cattle
If you are claiming water as a member of an organization, list name of organization: _____

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IDAHO DEPT. OF WATER RESOURCES



Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho
County of Bannock
) ss.
)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 25th day of March, 1988.
Calvin Wiley
(Claimant)
Notary Public John Wiley, Jr.
Residing at Stella Wiley, Jr.

My commission expires 6-15-88

FOR DEPARTMENT USE ONLY

Recorded by SM Date 3-25-83 Exception filed by: _____ Forwarded to _____ Date _____
Paid check by KR Date 3-27-85 _____
Furnished in Blackfoot News Date 3-25-83 # 23558 _____
Dates 4/17 & 4/14/83

**NOTICE OF CLAIMS
TO WATER RIGHTS**

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

35-4157

CALDWELL, Allan
&/or RANAE
Box 184
Pingree, Id. 83262
Source: GROUNDWATER
Priority Date: 06/01/1943
Diversion Pt.: SENE, Sec. 02, T. 04S, R. 33E.
Use: IRRIGATION (1.42 CFS)
In: SWNE SENE, Sec. 02, T. 04S, R. 33E, for 71 ACRES.

35-4156

WILLIAMS, Douglas
&/or JENNIE L.
Rt. 5, Box 108
Blackfoot, Id. 83221
Source: GROUNDWATER
Priority Date: 06/01/1954
Diversion Pt.: NWNE SWSW, Sec. 24, T. 02S, R. 33E.
Use: IRRIGATION (6.40 CFS)
IN: NESW NWSW SWSW SESW NESE NWSE SWSE SESE, Sec. 24, T. 02S, R. 33E, for 320 ACRES.

35-4154

BERGGREN BROS.
Rt. 1, Box 231
Blackfoot, Id. 83221
Source: GROUNDWATER
Priority Date: 06/01/1962
Diversion Pt.: SWSE, Sec. 28, T. 01S, R. 36E.
USE: STOCKWATER (0.14 CFS)
DOMESTIC (0.06 CFS)
In: SWSE, Sec. 28, T. 01S, R. 36E.

35-4153

BERGGREN BROTHERS
Rt. 1, Box 231
Blackfoot, Id. 83221
Source: GROUNDWATER
Priority Date: 06/01/1920
Diversion Pt.: NENE, Sec. 32, T. 01S, R. 36E.
USE: STOCKWATER (0.03 CFS)
DOMESTIC (0.04 CFS)
In: NENE, Sec. 32, T. 01S, R. 36E.

35-4152

ANDERSON, A.E.
BERGGREN, Paul R.
Rt. 1 Box 231
Blackfoot, Id. 83221
Source: GROUNDWATER
Priority Date: 06/01/1905
Diversion Pt.: NENE, Sec. 23, T. 01S, R. 36E.
Use: STOCKWATER (0.03 CFS)
DOMESTIC (0.04 CFS)
In: NENE, Sec. 23, T. 01S, R. 36E.

35-4151

WILLIAMS, Roger D.
Rt. 5, Box 153
Blackfoot, Id. 83221
Source: GROUNDWATER
Priority Date: 03/18/1963
Diversion Pt.: NWNE, Sec. 17, T. 02S, R. 34E.
Use: IRRIGATION (3.20 CFS)
In: SWSE SESE, Sec. 08, T. 02S, R. 34E, NENE NWNE, Sec. 17, T. 02S, R. 34E, for 160 ACRES.

35-4150

BENSON, Clifford
541 E. Hallday
Pocatello, Id. 83202
Source: GROUNDWATER
Priority Date: 01/16/1917
Diversion Pt.: NENE, Sec. 10, T. 01S, R. 32E.
Use: STOCKWATER (0.05 CFS)
DOMESTIC (0.04 CFS)
In: NENE, Sec. 10, T. 01S, R. 32E.

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83409.

KEN DUNN
Director

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APR 20 1983

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham)
State of Idaho) ss
I, David Mark Brown) do
solemnly

Publisher

swear that I am the of
The Morning News which is a daily newspaper of general circulation published each day except Sunday at Blackfoot, Bingham County, Idaho, said newspaper having been so published at Blackfoot, aforesaid for more than one year past; that said newspaper heretofore complied with all the provisions of Chapter 154 of the Sessions Laws of Idaho of 1933, approved March 11, 1933, and duly designated, pursuant to law, a particular day of the week as the day on which legal notices required by law or by the order of any Court of competent jurisdiction within the State of Idaho shall be published to-wit: Thursday of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of publication was published in said issue or said newspaper 2 consecutive weeks

the first publication having been made on the
7th day of April, 19 83

and the last publication having been made on the
14th day of April, 19 83;
that said notice was published in the regular and entire issue of every number of the paper as aforesaid during the period and time of publication, and that notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me this 19th

day of April, 19 83.

Patricia A. Johnson
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
Oct. 20, 1984

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

APRIL 25, 1983

CLIFFORD BENSON
541 E. HALLIDAY
POCATELLO

ID 83202

RE: Claim No. 35-4150

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

RONALD D. GARRISON
Eastern Region Supervisor

Enclosure

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APR 29 1983

Department of Water Resources

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY:

Keith C Wilson
30 4150

Right Number

Applicant

Clifford Benson

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By

Ernest Carlson

Date

April 27, 1983

April 25, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By

KW

Date

5/3/83

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

MARCH 30, 1983

The Blackfoot News
P. O. Box 70
Blackfoot, Idaho 83221

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before APRIL 25, 1983.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402.

KEN DUNN, Dir.

Published 4/7 & 4/14/83.

35-4150

BENSON, CLIFFORD

541 E. HALLIDAY, POCAHELLO, ID 83202

Source: GROUNDWATER

Priority Date: 01/16/1917

Diversion Pt: NENE Sec 10 T 01S R 32E

Use: STOCKWATER	(0.05 CFS)
DOMESTIC	(0.04 CFS)

In: NENE Sec 10 T 01S R 32E

35-4150
BENSON, Clifford
541 E. Halliday
Pocatello, Id 83202
Source: GROUNDWATER
Priority Date: 01/16/1917
Diversion Pt: NENE, Sec 10, T. 01S, R
32E
Use: STOCKWATER (0.05 CFS)
DOMESTIC (0.04 CFS)
In: NENE, Sec. 10, T. 01S, R 32E.
Exceptions to a claim may be filed with the
Director, Dept of Water Resources, 150 Shoup
Ave., Suite 15, Idaho Falls, Idaho 83402
KEN DUNN
Director