

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 13-7373
Phone No. 801-278-1213
EXAM. DATE: 6/14/94
Phone No. 208-646-2246

1. Owner: Douglas L Bliss
Current Address: 2400 INVERARY DR #11 Holladay, Utah 84124
2. Accompanied by: Lynette Hansen
Address: 34 Cove Rd
Relationship to Permit Holder: Renter
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

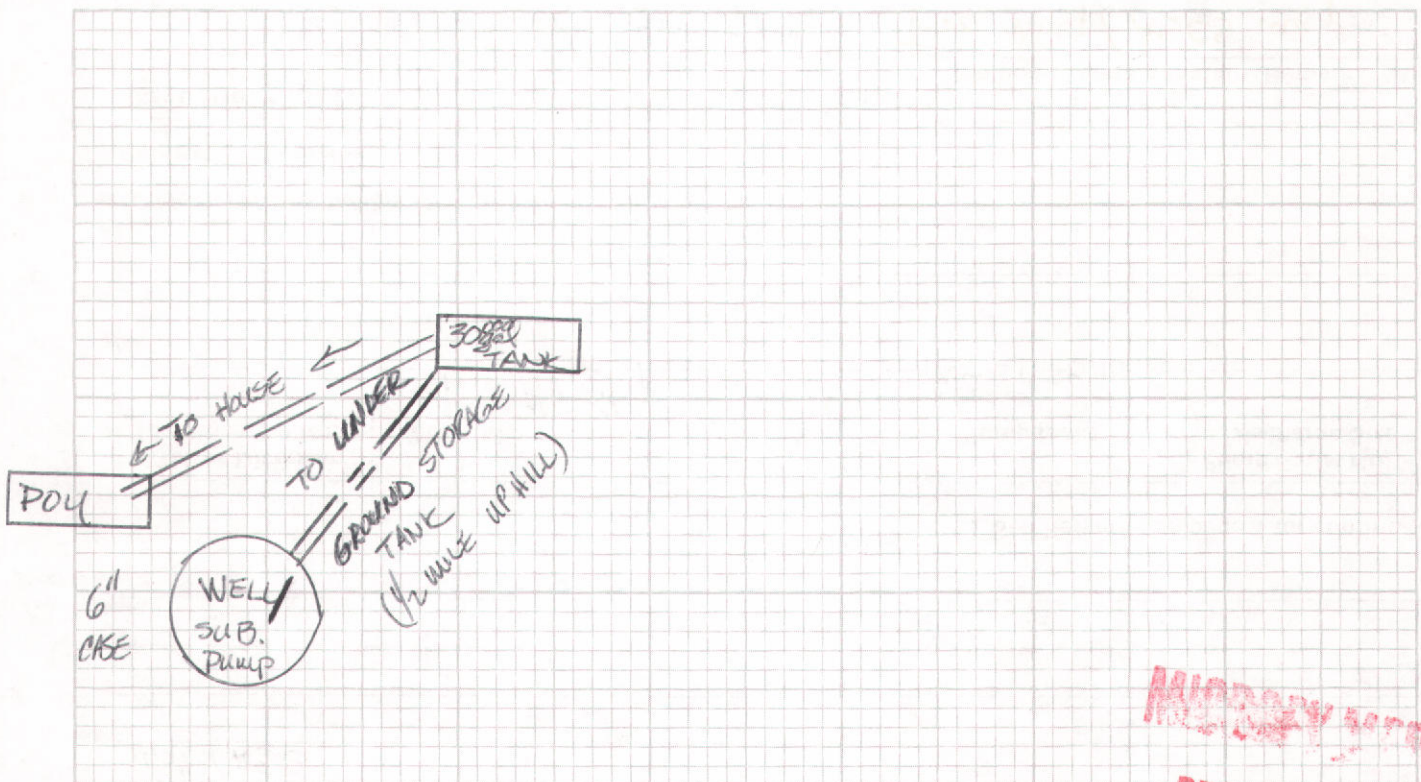
1. Other water rights with same place of use: NONE

☐ Copies Attached
2. Other water rights with same point of diversion: NONE

☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

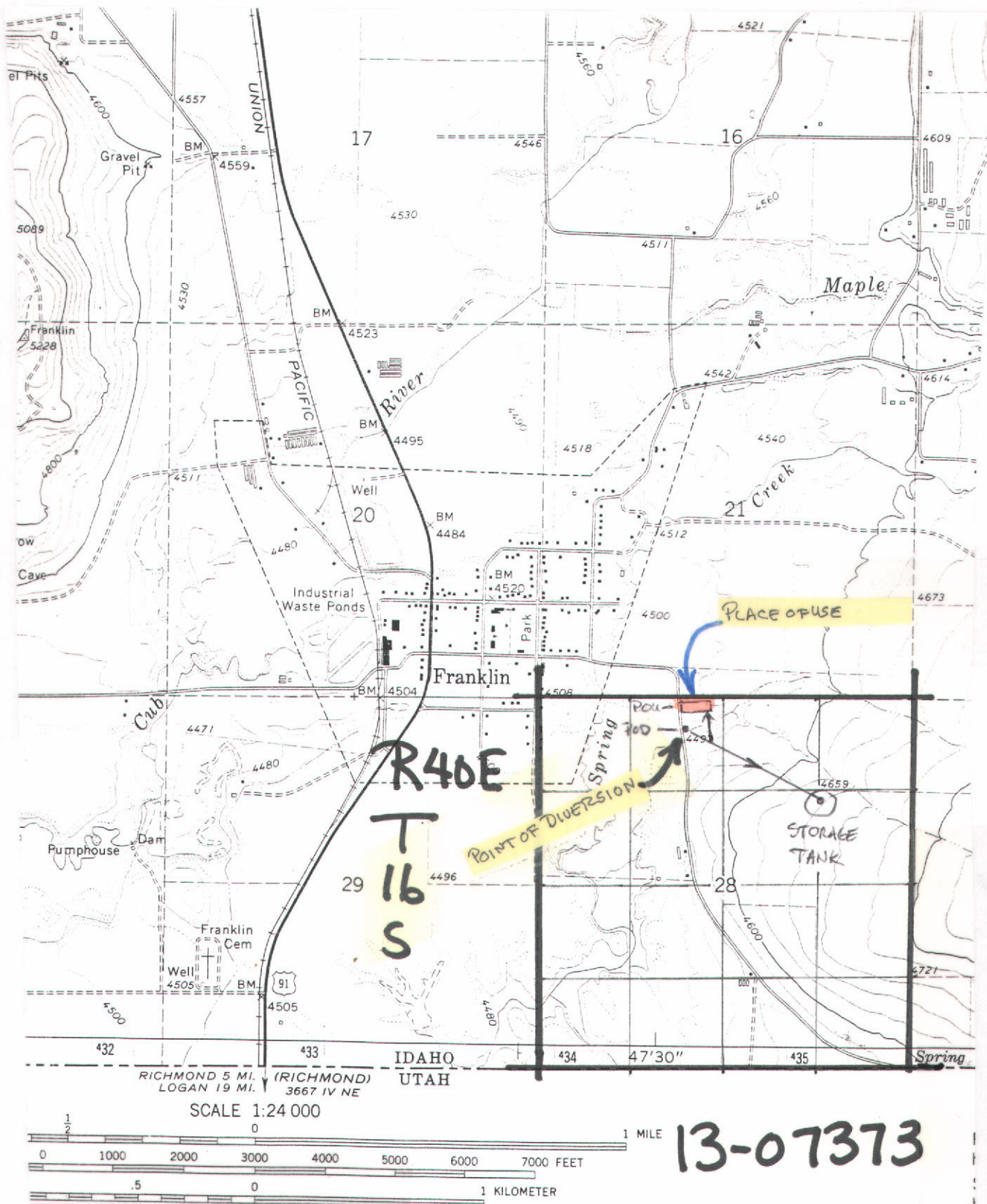
1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

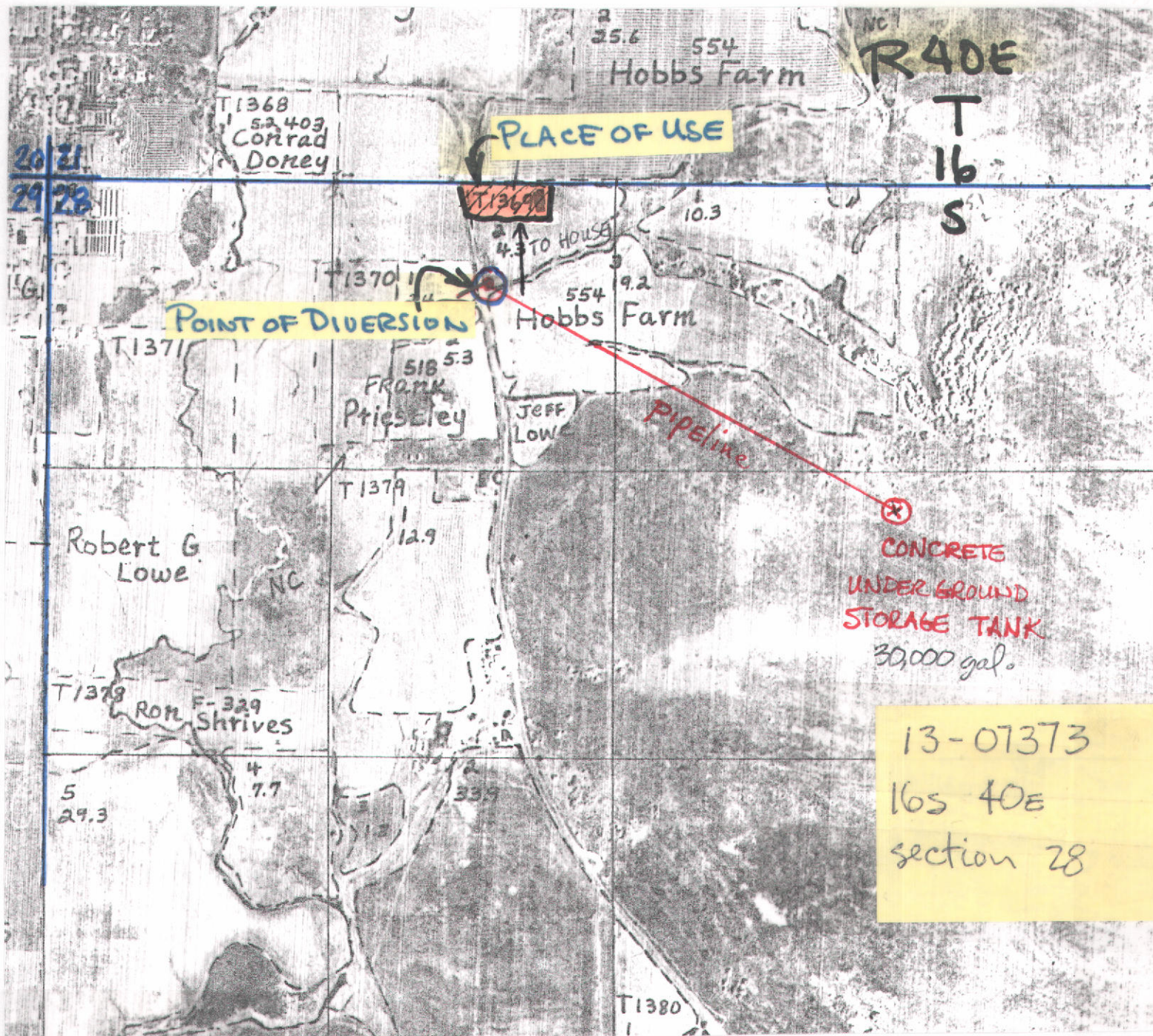
2. ☐ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required). ☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).
☐ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

DEC 13 1994



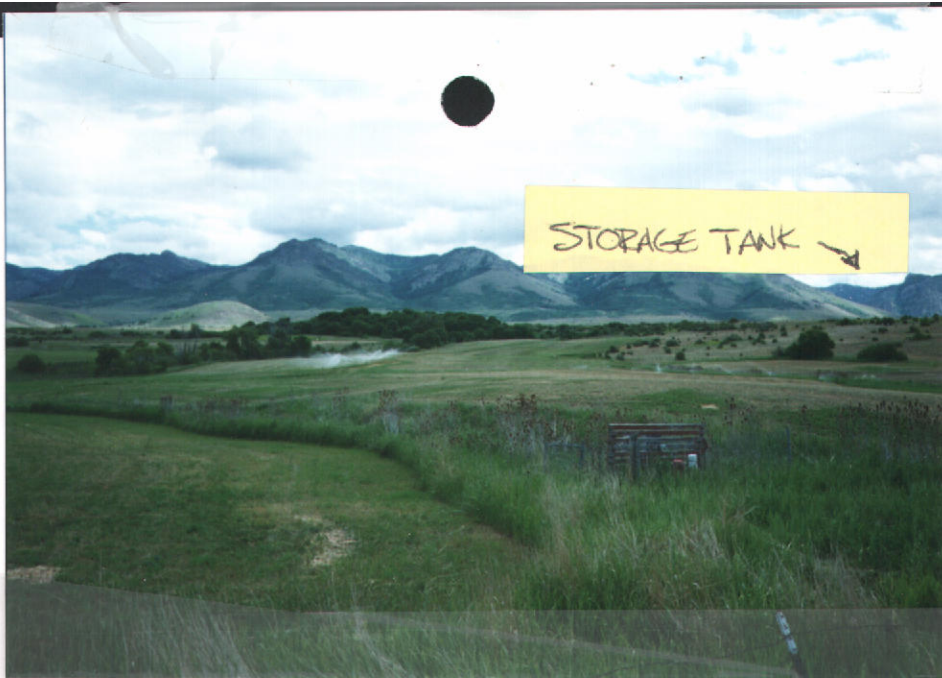
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13-7373

DEC 13 1994



STORAGE TANK

13-07373

6/14/94

WELL

WELL



WELL

13-7373

REC 13 1994



13-07373

WELL

POU/HOUSE



CONCRETE
STORAGE TANK



13-7373

POU/HOUSE



DEC 13 1994

April 4, 1988

Eldon T. Bennett
34 Cove Rd.
Franklin, ID 83237

Dear Mr. Bennett:

Re: Permit No. 13-7373

LAPSE NOTICE

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, the above referenced permit has lapsed. This office did not receive either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time. You were provided the proper forms in our proof due notice to you dated December 31, 1987.

Your permit cannot be reinstated unless you submit the proof of beneficial use or submit an extension of time request showing reasonable cause for delay. Either the completed proof of beneficial use submittal including the examination fee or a completed field examination report or the extension request form together with the \$15 fee must be received by this department within sixty days of the date of mailing of this lapse notice or the permit will no longer be of any force or effect.

A proof of beneficial use form and a request for extension of time form are again enclosed for your use. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a governmental agency or by litigation which brings title to the water in question.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

NOT RECORDED

SEP 20 1988

CERTIFICATION OF MAILING

I hereby certify that on 4-4-88
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

[Signature]

#875 FEB 28 1983

NO 1777

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Franklin } ss.

J. Walter Ross

being duly sworn,

deposes and says:

That he is the Co-Publisher of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for 2 consecutive weeks in the regular and entire issue of said paper during the period of time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

Feb. 3, 1983, and ending
with the issue of Feb. 10, 1983

Fee \$ 18.13

Subscribed and sworn to before me this 28th day
of Feb, 1983.

Notary Public, Residing at Preston, Idaho

My Commission Expires June 7, 1986

NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

13-7373

BENNETT, ELDON T.

34 COVE RD., FRANKLIN, ID 83237

Source: GROUNDWATER

Date Filed: 01/07/1983

Diversion Pt. NENW Sec 28 T 16S R 40E

Use: IRRIGATION (0.20 CFS)

Use: DOMESTIC (0.10 CFS)

In: NWNE SWNE SENE NENW
NESE NWSE Sec 28 T 16S R 40E FOR
95 ACRES

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before FEBRUARY 21, 1983.

KEN DUNN, Dir.

Published 2/3 & 2/10/83.

Legal No. 1777 -29L- Published
February 3, 10, 1983.

RECEIVED

MAR 4 1983

Department of Water Resources
Eastern District Office

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Application	13-07373	Eldon T. Bennett	0.20
Full Assignment	13-07373	Douglas L. Bliss	0.20

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FEB 22 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 13-07373

Priority: March 21, 1983

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

4.1 AF

This is to certify, that DOUGLAS L BLISS
2400 INVERARY DR #11
HOLLADAY UT 84124

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 7, 1983; and has submitted Proof of Beneficial Use on May 13, 1988. An examination indicates that the works have a diversion capacity of .080 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.02 CFS	3.5 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF
	Totals	0.04 CFS	4.1 AF

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 28, Township 16S, Range 40E
FRANKLIN County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
16S	40E	28	NENW	1		1

Total number of acres irrigated: 1

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
6. Domestic use does not include lawn, garden, landscape, or other types of irrigation.

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State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

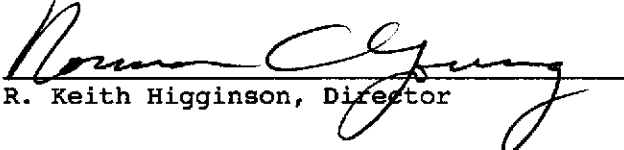
WATER RIGHT NO. 13-07373

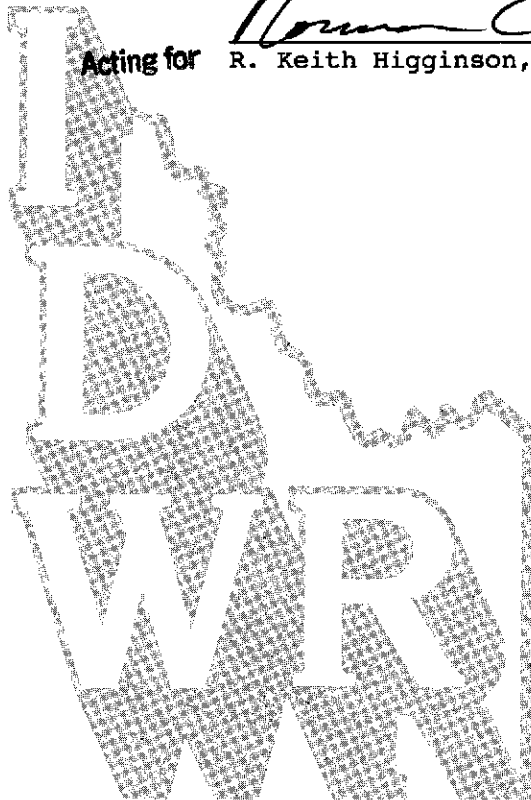
CONDITIONS/REMARKS:

7. Domestic use is for 1 home.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 29TH day of NOVEMBER, 1994.

Acting for


R. Keith Higginson, Director



DEC 13 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES

RECEIVED
NOV 19 1993
Department of Water Resources
16 ✓

ASSIGNMENT OF APPLICATION FOR PERMIT

To change the ownership of an application for permit

I, Eldon T. Bennett, hereby assign to Douglas L. Bliss
(Applicant)
of 34 Cove Road, Franklin, Idaho 83237
(Full Address)

All my right, title, and interest in and to Application for Permit
No. 13 73 73 to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to
Application for Permit No. _____ to appropriate the public waters of the
State of Idaho.

Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision,
point of diversion location, and the amount of water in cubic feet per second.

Made this 15th day of November, 19 93.

Eldon T. Bennett
Applicant(s)

State of ~~Idaho~~ Calif.)
SS
County of San Bernardino

On this 15th day of November, 199 3, personally appeared before me the
signer of the above instrument, duly acknowledged to me that he/she/they executed the same.



Billie J. Boyd

Notary Public

Billie J. Boyd
Signature

My commission expires: December 9, 1994

FEB 22 1994

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 13-7373 IN THE
NAME OF ELDON T. BENNETT

)
) ORDER OF REINSTATEMENT
)
)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before March 1, 1988; and,

WHEREAS, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

WHEREAS, the Department notified the permit holder that the permit lapsed for failure of the permit holder to submit the proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on May 13, 1988;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 13-7373 be REINSTATED and the priority advanced to March 21, 1983.

Dated this 19th day of August, 1988.

MICROFILMED

SEP 20 1988


L. GLEN SAXTON
Chief, Operations Bureau

Form 217
03/86

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MAY 13 1988

NO & ENCL. 92
Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

For Office Use Only
Fee Received _____
Date _____
Receipt # _____
Receipt by _____
Reviewed by _____
Sent to region _____

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 13-7373

Name(s) of Permit Holder: ELDON T. BENNETT

Post Office Address: 11 Tennessee St., #141, Redlands, Calif. 92373

Telephone No. (714) 792-3216

Source of Water: Well

Extent of Use:

Domestic 1 (number of households) Stockwater _____ (number and type of stock)
Irrigation _____ (acres) Other/Remark _____

Total rate and/or volume for which proof is submitted 0.04 cfs _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: November 1983

Measuring Device: Required? ☐ Yes ☐ No
Installed? ☐ Yes ☐ No

Fee enclosed \$ None
(See License Examination Fee Schedule)

Flow Measurement Port: Required? ☐ Yes ☐ No
Installed? ☐ Yes ☐ No

Person to contact to accompany the Department representative during the field examination:

Willard Porter

(208) 646-2413

(Name)

(Telephone Number)

Cove Road, Franklin, Idaho 83237

(Address)

RECEIVED

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

4-20-88

Date

Eldon T. Bennett

Signature of Permit Holder (and title, if appropriate)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Eldon T. Bennett Phone (208) 646-2435

Post office address 34 Cove Rd. Franklin, Idaho 83237

2. Source of water supply Ground Water which is a tributary of _____

3. Location of point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 28 Township 16 S

Range 40 E B.M. Franklin County, additional points of diversion if any: _____

* All changes as per tele-con with E. Bennett 1-10-1983

4. Water will be used for the following purposes:

Amount 0.10 for * Domestic Residential purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.20 for Irrigation purposes from April 1 to Oct. 15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 0.13 ± 0.20 * cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 100' water well with 30,000 gallon, underground, reinforced concrete storage tank. (5 HP submerged turbine) (12'x42'x8')

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage Jan. 1 to Dec. 31 inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 6 inches; proposed depth of well is 100 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial

use is 5 years (minimum 1 year – maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation: (Residential and Irrigation) *

(1) Give the place of use of water: NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 28 Township 16 S
Range 40 E B.M. * NE SE NW SW

(2) Amount of power to be generated: _____ horsepower 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 1 residence now (3 additional residences later)

If water is to be used for other purposes describe: _____

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JAN 10 1983

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
16 S	40 E	28	-	14	20	15	12	-	-	-	-	-	-	-	25	9	-	-	95

Total number of acres to be irrigated 95

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

Franklin Maple Creek Pioneer Ditch Co. 100 shares First Class
70 " Second Class

9. a. Who owns the property at the point of diversion Applicant (Eldon T. Bennett)

b. Who owns the land to be irrigated or place of use Applicant (Eldon T. Bennett)

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 Total Max. acreage to be irrigated is 95 acres. The well water is intended to irrigate the acreage at the higher elevations inaccessible to the Franklin Maple Creek Pioneer Ditch Co. water. The proposed additional irrigation will consist of a "Drip System".

The well was drilled by: WRIGHT DRILLING CO.; 2800 South Main

Nibley, Utah 84321

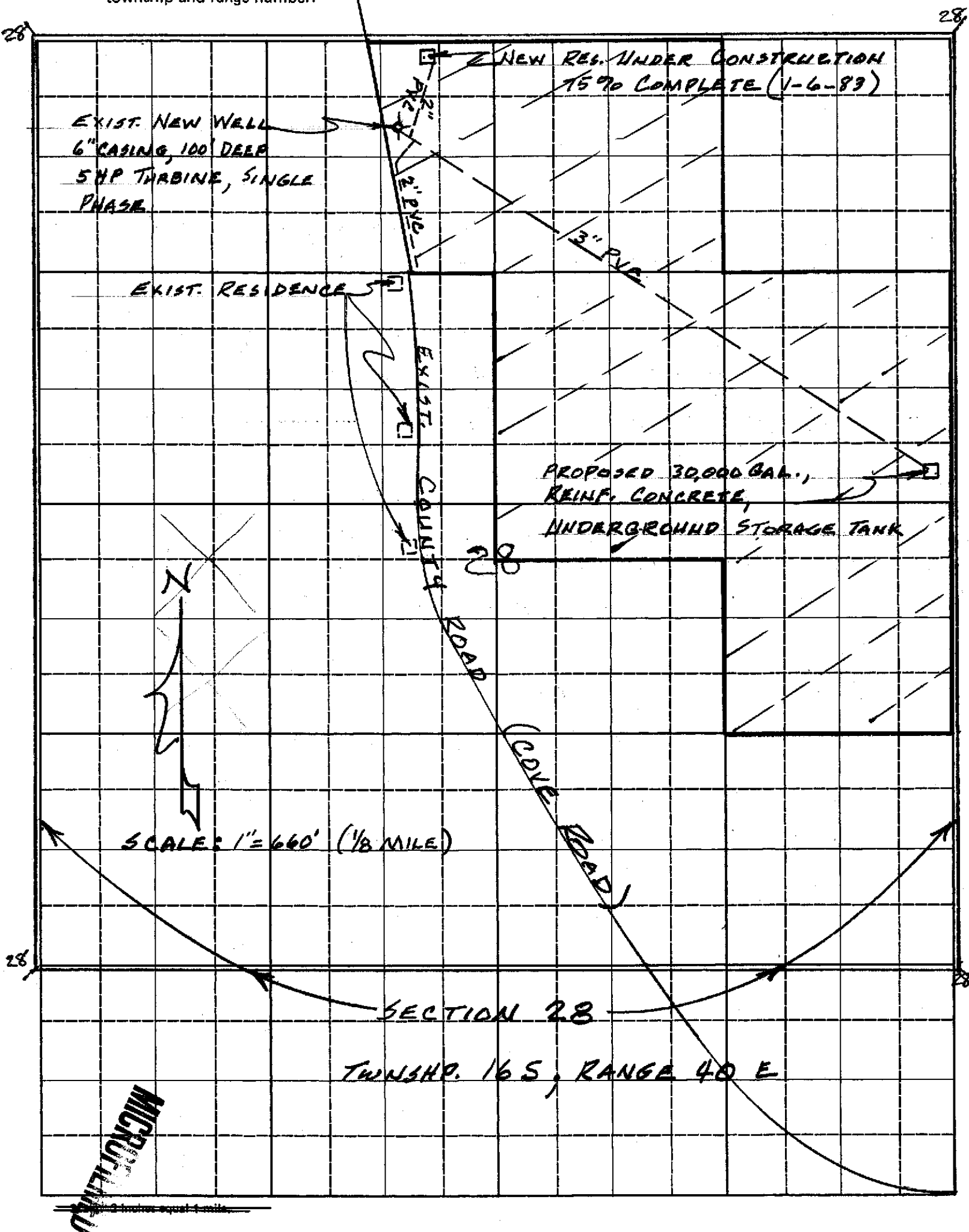
Phone: (801) 753-3787

The 5 HP submerged turbine now installed should deliver approximately 40 GPM to the proposed storage tank. The well, however, has been "prove pumped" at 130 GPM. When and if 3 phase power is more readily available a larger turbine might be installed to utilize the maximum flow of the well

MICROFILM

TO FRANKLIN
(1/2 MILE ±)

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



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.

Edmon T. Bennett
(Applicant)

Proposed Priority 1/07/1983

Received by CW Date 1-07-83 Time 3:15 p.

Preliminary check by HWT Fee \$ 30.00

Receipted by BP Date 1/10/83 # 23289

Publication prepared by BP Date 1/26/83

Published in Preston Citizen

Publication dates 2/3 & 2/10/83

Publication approved CW Date 3-7-83

Protests filed by: None

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by RC

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. 13-7373, and said application is hereby APPROVED.

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 March 1, 19 88.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. Other: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

Witness my hand this 23rd day of March, 1983.

J. Glen Saxton
Chief, Operations Bureau

MICROFILMED



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 7, 1994

Sharon Bliss
2400 Inverary Drive No. 11
Holladay, UT 84124

RE: License 13-07373

Dear Mrs. Bliss:

Thank you for calling today. As we discussed, I have enclosed some information related to your water right license.

The first page is a photocopy of the approval page of permit 13-07373 that was issued to Mr. Bennett in 1983. As you can see, the development period was to end on March 1, 1988.

The second page is a copy of the Proof of Beneficial Use submitted by Mr. Bennett on May 13, 1988. On the form, he indicated that he developed a use of 0.04 cfs.

The third page is the Order of Reinstatement advancing the priority because of the late proof.

I have also enclosed some Application for Permit forms that you may use for new water developments occurring on your land. There is currently a moratorium on the processing of applications for consumptive water uses in your area. However, single domestic uses and multiple domestic uses not irrigating more than 1/2 - acre per unit or diverting more than 13,000 gallons per day per unit are exempted from the moratorium. Furthermore, single domestic uses from groundwater may establish a water right by withdrawal and use without filing an Application for Permit. Multiple ownership subdivisions, however, are required to file if the homes share a common diversion system, unless the entire use is less than .04 cfs and 2500 gallons per day.

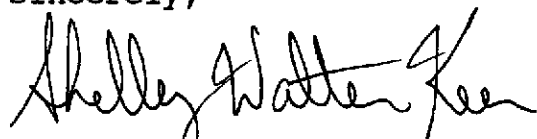
As you requested, I also spoke with Greg Taylor in Idaho Falls about your letter to him. He said that one of our employees viewed the Lowe property in June and did not find any apparent water right violation. If you have additional information relating to a water right violation, you should send it with a written request for action to our Eastern Region office in Idaho Falls.

DEC 13 1994

Sharon Bliss
License 13-07373
December 7, 1994
Page 2

If you have any questions, please contact me at 208-327-7946 in Boise.

Sincerely,



Shelley Walter Keen
Water Rights Supervisor

SWK

Enclosures:

- Copy of Page 4 of Application 13-7373
- Copy of Proof of Beneficial Use for 13-7373
- Copy of Reinstatement Order for 13-7373
- Two Applications for Permit with Instructions

DEC 13 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 1, 1994

DOUGLAS L BLISS
2400 INVERARY DR #11
HOLLADAY UT 84124

RE: WATER RIGHT NO. 13-07373

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:dc

Enclosure

DEC 13 1994

LICENS REVIEW CHECKLIST

PERMIT NO. 13-07373 DATE 11-7-94



NAME ☒ Yes ☐ No Or Address Change?

PRIORITY DATE ☒ Advance? YES Advanced to: 3-21-83
 Order to reinstate needed? Already done
 Incorrect fee for rate recommended? YES

SOURCE ☐ NOTE: SUBMITTED PROOF FOR .04 with no fee
☒ Changes or just clarification of originally intended source?
 Notice of Intent to Void necessary? ☐

POINT OF DIV ☐ ☒ Amendment needed?
☐ Overlaps?

PLACE OF USE ☐ ☒ Amendment needed?
☐ Overlaps?

DIV RATE ☒ Permit/fee limits: .20/.04
5 gal bucket Meas Q = 10 gpm Theo Q = .18 cfs Recommend: .04
~~x 3 SPR or .08 cfs (at 40 PSI)~~ DOM @ .02
(big difference between the 2) IRR @ .02
 Combined rates exceed capacity ☐

ANNUAL VOLUME ☐ ☒ Season of use: B/3.5 (4-15 to 10-15) NEW
 Calculations: 1 acre @ 3.5
 Flow limit: cfs x x 1.9835 =
 Combined volumes exceed capacity/allowable ☐

USES ☐ ☒ Change in Nature of Use or additional uses?
 Amendment necessary? ☐

REMARKS ☐ ☒ Multiple p/d(s) in 1/4 1/4?
☐ ☒ Other (DOMESTIC for in-house use only)

CONDITIONS ☐ ☒ Measuring/Locking Devices
☐ ☒ Watermaster control - District
R30 ☐ ☒ Irrigation Overlap
☐ ☒ Water Quality
☐ ☒ Other Heat/Cool/ Fish verified ☐

COMMENTS: Reduce rate & acres.

RECOMMENDED	CFS	VOL	SRBA Claim Filed	<u>NA</u>
<u>Irrigation</u>	<u>.02</u>	<u>3.5</u>	Adjustment Memo Needed	<u>YES</u>
<u>Domestic</u>	<u>.02</u>	<u>.6</u>		
<u>Totals</u>	<u>.04</u>	<u>4.1</u>	LICENSE	☒
			1ST AMENDMENT LETTER	☐
			FINAL AMENDMENT LETTER	☐

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

13-7373
Permit No.

Staff Analysis Sheet
for
Beneficial Use Field Report

RECEIVED

NOV 01 1994

Department of Water Resources

A. Prior to Conducting the Exam, the File Contains:

- ☐ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copies of any Amendments/Orders with conditions of approval
- ☐ Computer Data Proof Report
- ☒ Copy of U.S.G.S. Quad
- ☒ Check for Government Lots. If so, make a copy of Government Plat

Check of P/D index KCW 2-7-89 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of exam(s) attached?

Type of Overlap? ☐ Add acres or uses to existing system

☐ Increase rate of flow or volume

☐ Other: _____

Check of P/U index KCW 2-13-89 (Initial and date) 13-2092 Cul-Rive

Overlap? ☒ yes ☐ no If yes: ☐ copy of water right(s) attached?

Type of Overlap? ☐ Increase rate of flow or volume

☐ Add P/D's

☐ Increase number of acres within tracts

☐ Other: _____

Aerial Photo

Required? ☒ yes ☐ no If yes: ☐ copy attached?

Scheduling Letter sent? _____ (Initial and date)

☐ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☐ Fully completed and signed Field Report Form
- ☐ Photographs of Point of Diversion and Place of Use
- ☐ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed DC 6/14/94 (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent KCW 10/26/94 (Initial and date)

Exam Reviewed by Manager of Regional Office _____ (Initial and date)

Exam Date Entered in Computer _____ (Initial and date)

Exam sent to State Office _____ (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original
Refiled in White File _____ (Initial and date)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 13-7373
Phone No. 801-278-1213
EXAM. DATE: 6/14/94
Phone No. 208-646-2246

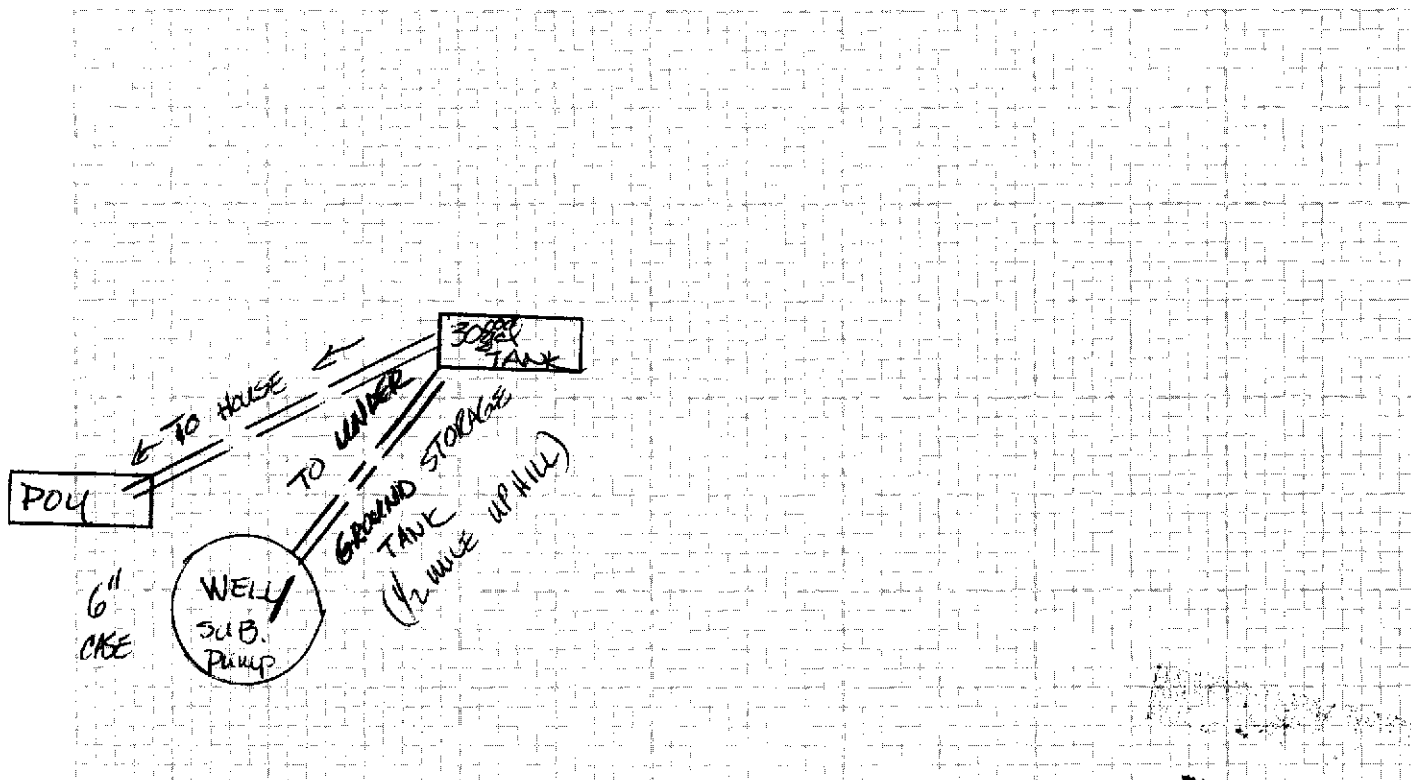
1. Owner: Douglas L Bliss
Current Address: 2400 INVERARY DR #11 Holladay, Utah 84124
2. Accompanied by: Lynette Hansen
Address: 34 Cove Rd
Relationship to Permit Holder: Renter
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: NONE
_____ ☐ Copies Attached
2. Other water rights with same point of diversion: NONE
_____ ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

2. ☐ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required). ☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).
☐ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

DEC 13 1994

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

WELL/5hp sub. pump/pipeline uphill to a large water tank/gravity flow to home and lawn (ONE home and one acre) - outside faucets
6" CASE

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Franklin Elec	5hp		MODEL 2821138110	

*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NE	NE	NW	28	16S	40E	Franklin	Topo Map/ASCS map

6. Place(s) of Use:

Indicate Method of Determination *ASCS map*

Twp.	Rge.	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	
16S	40E	28					1.0												1.0
		28					D												

Do not use this space

DEC 13 1994

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

5 gallon Bucket/stop watch - (5 gallons/30 seconds)

$$CFS = (3 \text{ feet}) \left(\frac{5}{5} \right) \left(\frac{1}{448.8} \right) = .067 CFS$$

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method: 5 gallon Bucket/watch

2. Alternate Method for Checking Purposes: theoretical calculation

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: 25 psi x 2.31 = _____ ft (1); Dynamic pumping level: 80 ft (2)

Total Head: (1) + (2) = 137.75 (3) : Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 1 \times 3.5 = 3.5$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 184(.02)(1.9) = 7.3$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 3.5$$

2. Volume Calculations for Other Uses:

allow 0.6 AFA FOR DOMESTIC USE (ONE HOME)

DEC 13 1994

H. REMARKS AND OVERLAP REVIEW ANALYSIS

5hp 80' water 25 psi

$$CFS = \frac{5(8.8)(.70)}{25(2.31) + 80'} = 0.22 CFS$$

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRR	4/15	10/15	0.02	3.5
* DOMESTIC	01/01	12/31	0.04	0.6
* Totals:			0.06	4.1

2. Recommended Amendments

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☒ None

☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

J. AUTHENTICATION

Field Examiner's Name

DAVE CARLSON

Signature

Dave Carly

Certification Date

Field Report Preparation Date

6/15/94

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

* See adjustment memo. RC

RECEIVED

DEC 13 1994

MEMORANDUM

TO: File 13-07373 / Douglas L. Bliss
FROM: Brenda Chapman
DATE: November 8, 1994
RE: Recommendation Adjustment

=====

The final licensing recommendations for the above referenced water right are based on the information below:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Irrigation	4-15 to 10-15	.02	3.5
Domestic	1-01 to 12-31	.02	.6

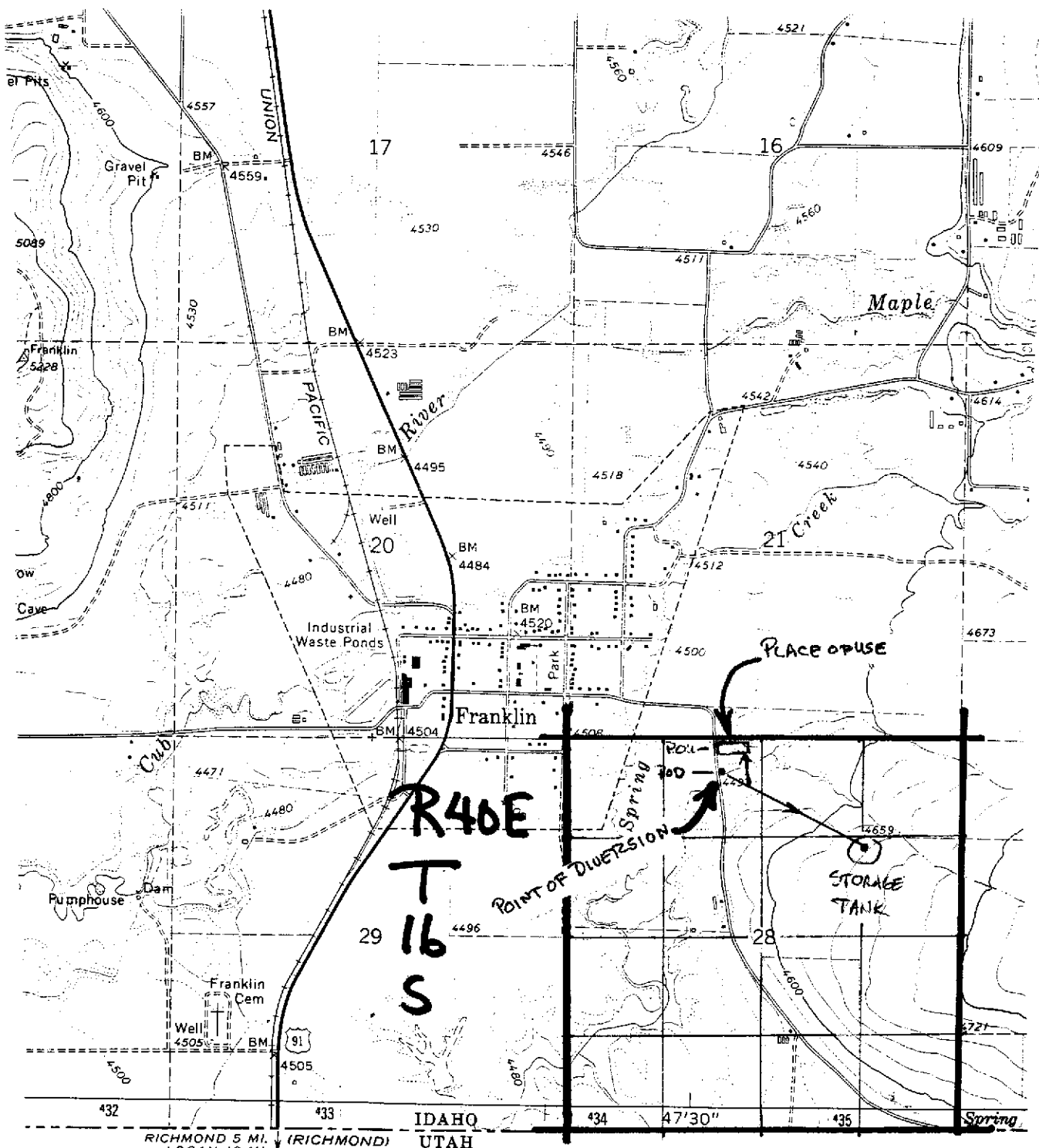
The domestic rate was reduced to coincide with the examiner's recommendation of an in-house only volume rate. This also concurs with the current preferred "in-house use only" for domestics when irrigation and domestic uses are both listed on a right (10/25/94).

NOTE: The B/U form was filed for only .04 cfs and we cannot exceed that amount without soliciting a fee; however, an additional rate is not needed in this situation.

The irrigation season dates were adjusted to the currently used Field Headgate Requirement and Season of Use chart.

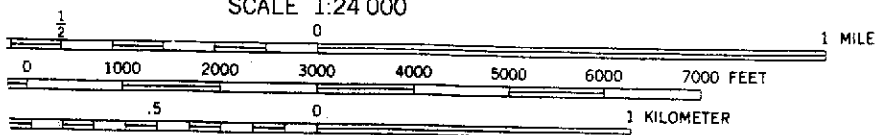
RECEIVED

DEC 13 1994

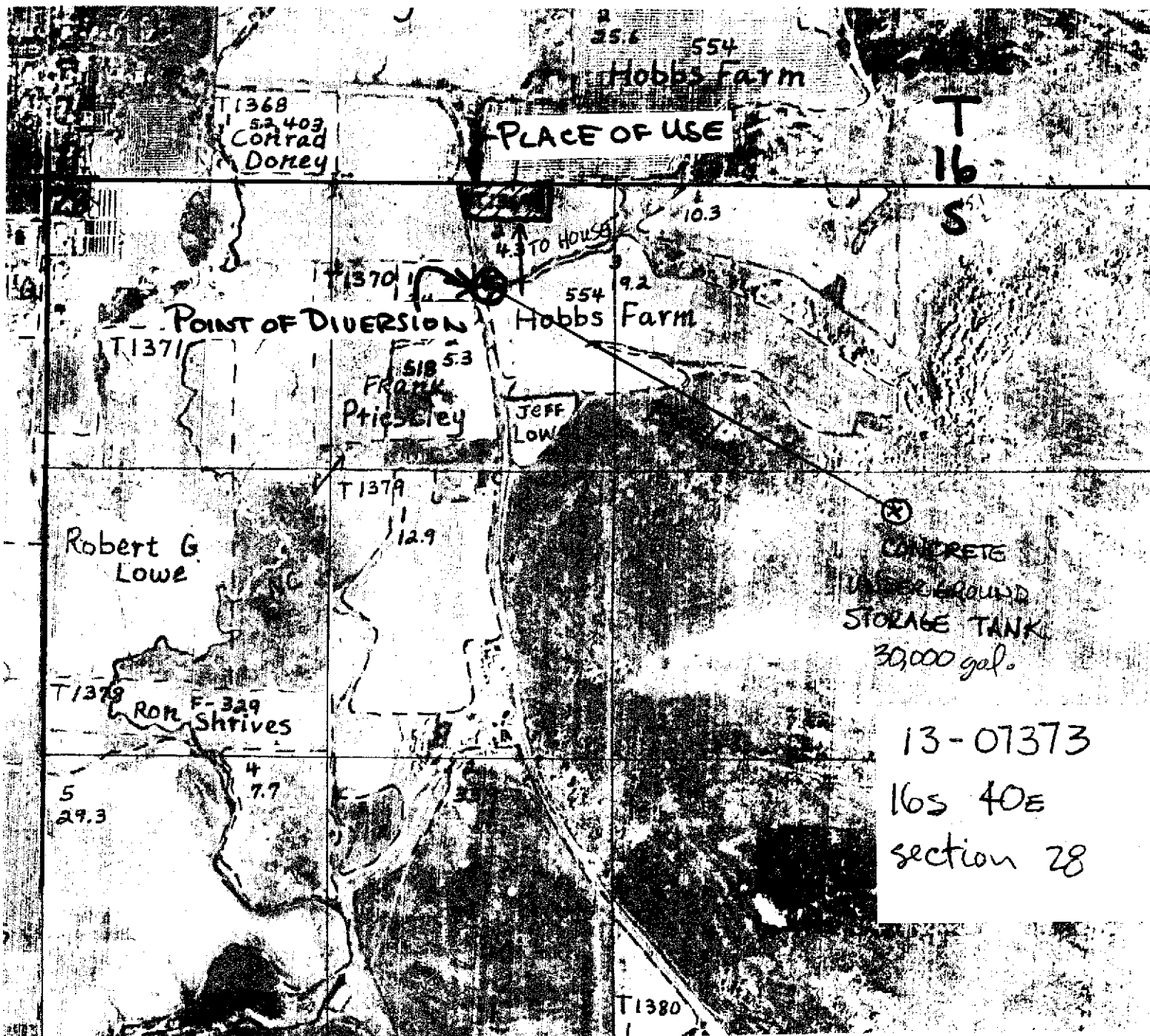


RICHMOND 5 MI. (RICHMOND)
LOGAN 19 MI. 3667 IV NE

SCALE 1:24 000



13-07373



13-7373

DEC 13 1994

13-07373

6/14/94

STORAGE TANK

WELL

WELL



WELL

13-7373

6/14/94



13-07373

WELL

POU/HOUSE



CONCRETE
STORAGE TANK



13-7373

POU/HOUSE



DEC 18 1984



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

February 22, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

DOUGLAS L BLISS
2400 FOOTHILL BLVD
GILLETTE WY 82716

Re: Permit No. 13-07373

Dear Mr. Bliss:

We acknowledge receipt of the correspondence assigning the ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', written over the printed name and title.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

RECEIVED

FEB 22 1994

MEMORANDUM

DATE: February 18, 1994
TO: File No. 13-07373
FROM: Donna Corless
SUBJECT: RETURNED MAIL

=====

An assignment acknowledgement letter sent to the new owner of record, Douglas L. Bliss, at 34 Cove Rd., Franklin, ID was returned by the U.S. Postal Service as:

Moved, Not Forwardable.

A call to the Franklin County Assessor revealed that their address of record for Mr. Bliss is as follows:

Douglas L Bliss
2400 Foothill Blvd
Gillette WY 82716

The correspondence was forwarded to that address today.

WPPH-16 MCB

FEB 22 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 2, 1993

DOUGLAS L BLISS
34 COVE RD
FRANKLIN ID 83237

Re: Permit No. 13-07373

Dear Mr. Bliss:

We acknowledge receipt of the correspondence assigning the ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

A handwritten signature in black ink, appearing to be 'Jim Johnson', written over a horizontal line.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

DEC 2 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

SEP 30 1988

Department of Water Resources
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

EASTERN REGION

September 19, 1988

RE: Permit No. 13-7373

Eldon T. Bennett
11 Tennessee Street #141
Redlands, CA 92373

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit. Your permit has been reinstated and the priority advanced to March 21, 1983.

Before a license can be issued, a field examination must be made by a representative of this Department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 525-7161, or in person in the third floor State Office Building, 150 Shoup, Idaho Falls, Idaho.

Sincerely,

ERIC VERNER
Sr. Resource Agent

EV:CW

FEB 22 1994

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 13-7373

Date: 8-2-88

General Considerations:

Y Name same as permit
Y Signature the same as permit holder
Y Address change _____ If yes, prepare a data entry
Y Proof received timely
Y Reinstated

Source of Water:

Y Surface water
Y Groundwater
_____ 1. well log in file
_____ 2. drilling permit
_____ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

Y Rate of diversion appropriate for uses
Y Is rate or volume and fee appropriate?
Y Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

N/A Is a measuring device or access port required?
N/A Has one been installed?
Y Waiver or modification of measuring device requested

Remarks: Proof acceptable

N/A Priority Calculation:
Date proof received May 13 133
Date proof due Mar 1 + 60
No. of days late = 73
Priority date Jan 7 '83 + 7
NEW PRIORITY DATE Mar. 21, 1983 = 80

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

April 27, 1988

(As Per our conversation on
May 9, 1988.)

E. T. Bennett

Eldon T. Bennett
11 Tennessee St., #141
Redlands, CA 92373

Dear Mr. Bennett:

Re: Permit No. 13-7373

Returned is the proof of beneficial use form and check No. 215 (16-4/1220) in the amount of \$15 submitted to this office on April 25, 1988.

I believe that you wish to submit the request for extension of time instead of the proof of beneficial use form. An extension of time would allow you to continue with development of the project as proposed by this permit. Please complete and return the enclosed request form and your \$15 filing fee promptly since the permit lapsed.

Note that if an extension is granted, you will have several more years in which to develop the other nine domestic uses and irrigation. At sometime in the future, a amendment of the permit will be needed to reflect the change from a total of four to nine residences.

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

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

c: Acct. Sec.

MICROFILMED

SEP 20 1988

April 27, 1988

Eldon T. Bennett
11 Tennessee St., #141
Redlands, CA 92373

Dear Mr. Bennett:

Re: Permit No. 13-7373

Returned is the proof of beneficial use form and check No. 215 (16-4/1220) in the amount of \$15 submitted to this office on April 25, 1988.

I believe that you wish to submit the request for extension of time instead of the proof of beneficial use form. An extension of time would allow you to continue with development of the project as proposed by this permit. Please complete and return the enclosed request form and your \$15 filing fee promptly since the permit lapsed.

Note that if an extension is granted, you will have several more years in which to develop the other nine domestic uses and irrigation. At sometime in the future, a amendment of the permit will be needed to reflect the change from a total of four to nine residences.

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

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

c: Acct. Sec.

RECEIVED

SEP 20 1988

April 4, 1988

Eldon T. Bennett
34 Cove Rd.
Franklin, ID 83237

Dear Mr. Bennett:

Re: Permit No. 13-7373

LAPSE NOTICE

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, the above referenced permit has lapsed. This office did not receive either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time. You were provided the proper forms in our proof due notice to you dated December 31, 1987.

Your permit cannot be reinstated unless you submit the proof of beneficial use or submit an extension of time request showing reasonable cause for delay. Either the completed proof of beneficial use submittal including the examination fee or a completed field examination report or the extension request form together with the \$15 fee must be received by this department within sixty days of the date of mailing of this lapse notice or the permit will no longer be of any force or effect.

A proof of beneficial use form and a request for extension of time form are again enclosed for your use. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a governmental agency or by litigation which brings title to the water in question.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

NOT RECORDED

SEP 20 1988

CERTIFICATION OF MAILING

I hereby certify that on 4-4-88
a copy original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

[Signature]

138136

CERTIFIED MAIL
December 31, 1987

BENNETT, ELDON T.
34 COVE RD.
FRANKLIN, ID 83237

PROOF DUE NOTICE

RE: Permit No. 13-7373

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before March 1, 1988. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this Department on or before the above described proof due date, or the permit will no longer be of any force nor effect.

Sincerely,

RITA FLECK
Secretary/Records Manager

Enclosures

MICROFILMED

SEP 20 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440**

**BENNETT, ELDON T.
34 COVE RD.
FRANKLIN, ID 83237**

MARCH 29, 1983

RE: PERMIT NO. 13-7373

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

THE 1982 IDAHO LEGISLATURE ADDED A REQUIREMENT THAT AS A PERMIT HOLDER YOU MUST COMMENCE THE EXCAVATION OR CONSTRUCTION OF DIVERTING WORKS WITHIN ONE YEAR OF THE DATE THE PERMIT WAS ISSUED, AND YOU MUST PROCEED DILIGENTLY UNTIL THE PROJECT IS COMPLETED. THE ENCLOSED BLUE CARD MUST BE COMPLETED AND RETURNED TO THIS OFFICE AS SOON AS YOU COMMENCE CONSTRUCTION, NO LATER THAN ONE YEAR FROM THE DATE THE PERMIT WAS APPROVED.

WE HAVE ENCLOSED INSTRUCTIONS ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

**DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION**

ENCLOSURE

11/11/83



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

150 Shoup
Idaho Falls, Idaho 83401
(208) 525-7161

February 28, 1983

RE: Claim to a Water Right No. 13-4214 HULL
13-4215 HANSEN
13-4216 AUGER
13-4217 JENSEN
Application for Permit No. 13-7373 BENNETT
13-7375 BLM
13-7376 BOUCK
13-7377 KOLLER
13-7378 GRIFFETH
13-7379 CHRISTENSEN
13-7380 CHRISTENSEN

Preston Citizen
P.O. Box 472
Preston, ID 83263

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application(s). The legal notice was to have been published in your paper on February 3 and 10, 1983.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

#875 FEB 28 1983

No 1777

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Franklin } ss.

J. Walter Ross

being duly sworn,

deposes and says:

That he is the Co-Publisher of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for 2 consecutive weeks in the regular and entire issue of said paper during the period of time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

Feb. 3, 1983, and ending

with the issue of Feb. 10, 1983

J. Walter Ross

Fee \$ 18.13

Subscribed and sworn to before me this 28th day of Feb, 1983.

Notary Public, Residing at Preston, Idaho

My Commission Expires June 7, 1986

NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

13-7373

BENNETT, ELTON T.

34 COVE RD., FRANKLIN, ID 83237

Source: GROUNDWATER

Date Filed: 01/07/1983

Diversion Pt. NENW Sec 28 T 16S R 40E

Use: IRRIGATION (0.20 CFS)

Use: DOMESTIC (0.10 CFS)

In: NWNE SWNE SENE NENW NESE NWSE Sec 28 T 16S R 40E FOR 95 ACRES

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before FEBRUARY 21, 1983.

KEN DUNN, Dir.

Published 2/3 & 2/10/83.

Legal No. 1777 -29L- Published February 3, 10, 1983.

RECEIVED

MAR 6 1983

Department of Water Resources
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

JANUARY 26, 1983

The Preston Citizen
P. O. Box 472
Preston, Idaho 83263

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 sales 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 billings to this office before FEBRUARY 21, 1983.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.



NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 100, Idaho Falls, Idaho 83402 on or before FEBRUARY 21, 1983.

KEN DUNN, Dir.

Published 2/3 & 2/10/83.

13-2323

BENNETT, ELDON T.

34 COVE RD., FRANKLIN, ID 83237

Source: GROUNDWATER

Date Filed: 01/07/1983

Diversion Pt: NENW Sec 28 T 16S R 40E

Use: IRRIGATION (0.20 CFS)
DOMESTIC (0.10 CFS)

In: NINE SWNE SENE NENW NESE NWSE Sec 28 T 16S R 40E FOR 95 ACRES