

PROB. 122

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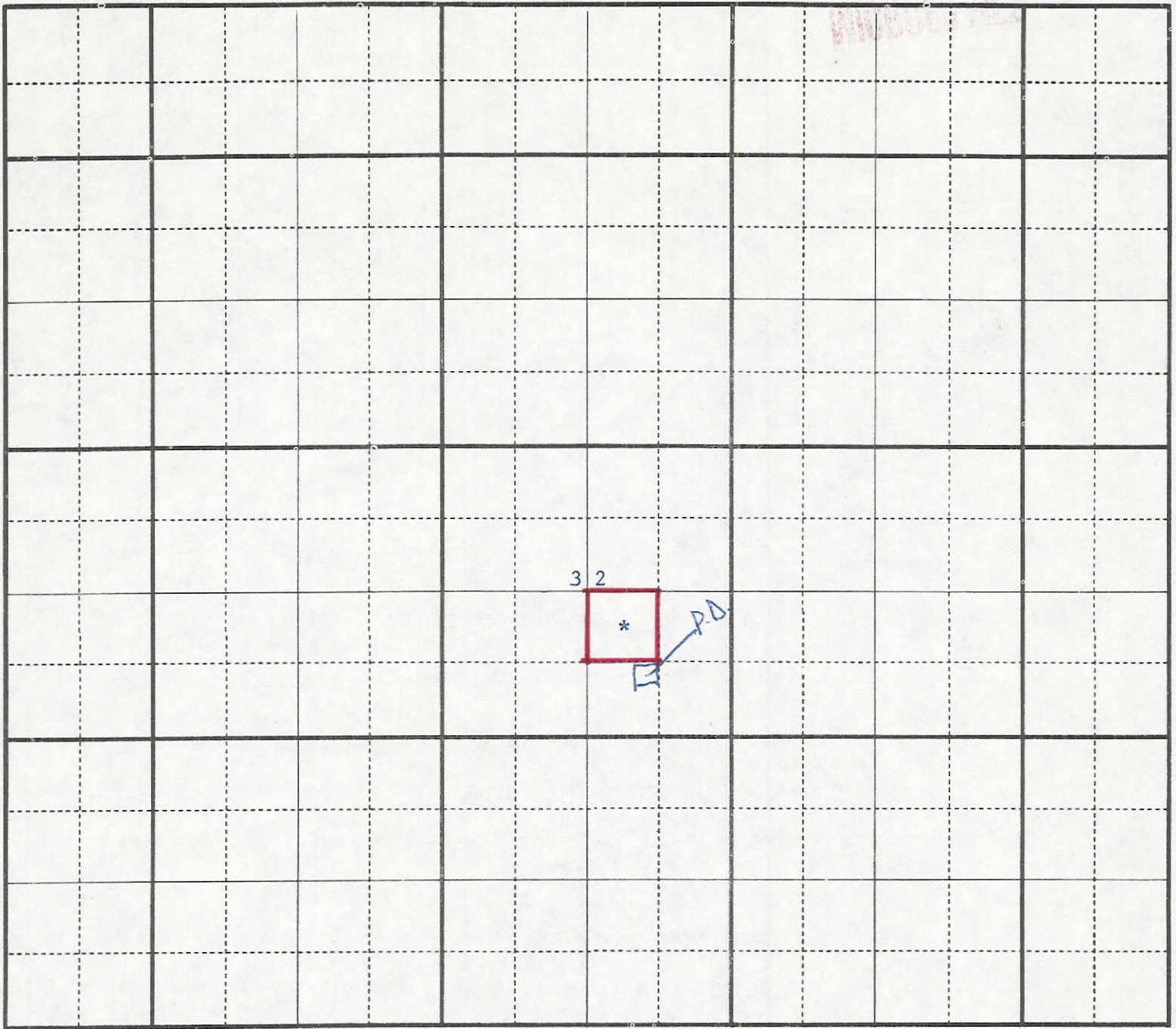
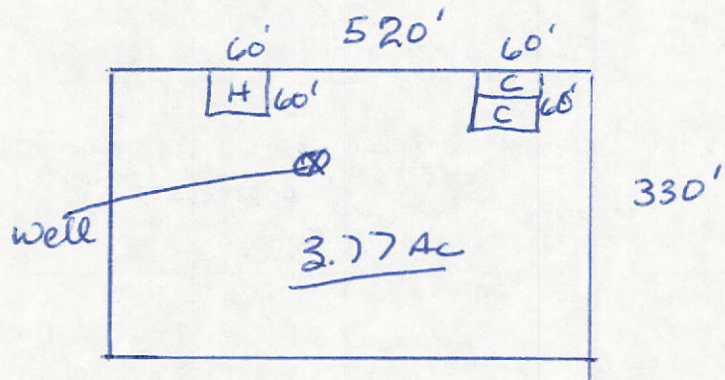


Diagram of System



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 11-7037 Priority July 26, 1973 Amount 0.06 cfs

THIS IS TO CERTIFY, that KEITH H. BENNION
of Soda Springs, Idaho, has complied with the terms and conditions of Permit
No. 11-7037 issued pursuant to Application for Permit dated July 26, 1973,
and has submitted proof to the Department of Water Resources on August 27, 1974,
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 0.06 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>Domestic</u> from <u>Jan. 1</u> to <u>Dec. 31</u> at <u>0.04</u> cfs and			<u>0.6 acre feet</u>
<u>Irrigation</u> from <u>May 1</u> to <u>Oct. 15</u> at <u>0.06</u> cfs and			<u>12.0 acre feet or</u>
from _____ to _____ at _____ cfs and			<u>3.0 af per acre</u>
(both dates inclusive)			

Subject, however, to the condition that no more than 0.06 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 is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
12.6 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 32,
Twp. 9 S, Rge. 42 E, B.M. in the County of Caribou

Description and location of place of use:

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 $\frac{1}{4}$	
9 S	42 E	32															4 X		Four

Total number of acres irrigated Four

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
January, 19 75.

Director

R. Karl Higley
MICROFILMED

Receipt # 691

APPLICATION FOR AMENDMENT

Permit No. 11-7037

Comes now Keith H. Bennion of (address)

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 11-7037, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32 Twp. 9 S
Rge. 42 E, B.M., County of Caribou. Other points of diversion:

NO CHANGE

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)

(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

[illegible]

Total number of acres to be irrigated Four

MICROFILMED

[illegible]

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

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES


Director

Identification No. 11 7037

Application No. _____

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

LIC. USE ISSUED FOR .06 SEC. FL.
LIC. PAGE NO. _____

1. Name of applicant Keith H. Benning
post office address Star Route, Soda Springs, Idaho 83276
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 32 Township 9 S
Range 42 E B.M. Caribou County; additional points of diversion if any: _____
- b. If water is not consumed, it will be discharged into _____ 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 .04 (cfs or acre-feet per annum) for domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
Amount .08 (cfs or acre-feet per annum) for irrigation purpose from May 1 to Oct. 15 (both dates inclusive)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. .10 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 2 hp. submersible pump with 1 1/2" discharge pipe. Irrigation system is 3" aluminum main line with 2" lateral.
b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ (Mo. Day) to _____ (Mo. Day) inclusive.
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 completed ~~one~~ one year.
b. Estimated construction cost is \$ 2,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 32 Township 9 S
Range 42 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 one.
(5) If water is to be used for other purposes describe: _____

11 7037

11.7037

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

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
9S	42E	32														4			

Total number of acres to be irrigated 4

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 Keith H. Bennion

b. Who owns the land to be irrigated or place of use Keith H. Bennion

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

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

NW 1/4 SE 1/4 Sec. 37 T9S R42E B.M.

32. $\leftarrow$ well

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.

Keith H. Bennet
(Applicant)

(Applicant)

11 7037

Received by mt Date 7/3/73 Time 11:00 A
Preliminary check by NC Fee \$ 10.00
Received by mt Date 7-26-73 # 10283
Publication prepared by mt Date 7-26-73
Published in Caribou County Press
Publication dates August 24-9-73
Publication approved ED Date 7/27/73
Priority reduced to 7-26-73 Reason Incomplete
application Section 42-202

11-7037

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by NCY #30F

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. 11-7037, 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 September 1, 19 74.
- c. Other: _____

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

Witness my hand this 28th day of August 1973.

R. Karl Hing
Director

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date		
(1)	NCY	7/3/73	Application No. _____	Name <u>BENNION</u>
(2)	"	"	Check: ☒ Signature ☒ Point of Diversion ☐ Quantity of Water and Period of Use ☒ Description of Diverting Works ☐ Time required for C/W and application of water to B/U need ☐ Place of Use <u>Need</u> ☒ Map ☒ Fee ☒ <u>County</u>	
(3)	"	"	Send copies to: ☐ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management	
(4)	"	"	☐ Request Special Use Permit from U.S.F.S. ☐ Request Easement from B.L.M.	
(5)	"	"	In form for advertising <u>No</u>	
(6)	"	"	Affidavit of Publication received _____	
(7)	"	"	Final date for protests _____ Protests received: yes _____ no _____	
(8)	"	"	Date and Place of hearing _____ Decision reached at hearing _____	
(9)	NCY	7/3/73	Located within Water District No. <u>N.A.</u>	
(10)	"	"	Critical groundwater area: yes _____ no <u>X</u>	
(11)	"	"	Groundwater levels: ☐ Decline (comment) _____ ☐ Stable (comment) <u>No nearby obs wells</u> ☐ Increasing (comment) _____	
(12)	"	"	Comments: _____	
(13)	"	"	Action recommended: ☐ Approve Priority _____ ☐ Deny Reason for Reduction _____ See attached sheet for conditions of approval No conditions for approval	
(14)	"	"	District _____	By _____
			Date _____	Title _____

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>NCY</u>	<u>7/26/73</u>	Application No. <u>11-7037</u> <u>Bennion</u>
(2)			☒ Source ☒ Point of Diversion ☒ County ☒ Quantity of Water and Period of Use ☒ Description of Diverting Works ☒ Time required for B/U of water ☒ Place of Use or Acres Irrigated ☒ Map ☒ Signature ☒ Fee
(3)	<u>"</u>	<u>"</u>	In form to receipt <u>Yes</u>
	<u>"</u>	<u>"</u>	Send Copies to: ☐ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)	<u>"</u>	<u>"</u>	☐ Request Special Use Permit from U.S.F.S. ☐ Request Easement from B.L.M. ☐ Request Information from Applicant
(5)	<u>"</u>	<u>"</u>	In form for advertising <u>Yes</u>
(6)	<u>"</u>	<u>"</u>	Located within Water District No. <u>N.A.</u>
(7)	<u>"</u>	<u>"</u>	Critical groundwater area: yes ☐ no ☒
(8)	<u>"</u>	<u>"</u>	Groundwater levels: ☐ Decline (comment) _____ ☐ Stable (comment) <u>No nearby obs wells</u> ☐ Increasing (comment) _____
(9)	<u>"</u>	<u>"</u>	Comments: <u>No other E.W. rights for irrig</u> <u>shown for this land by E.W. plans</u>
(10)	<u>Ynt</u>	<u>8/22/73</u>	Affidavit of Publication received (date) <u>8-22-73</u>
(11)	<u>"</u>	<u>"</u>	Final date for protests <u>Aug. 20, 1973</u> Protests received: yes ☐ no ☒
(12)	<u>"</u>	<u>"</u>	Date and Place of hearing <u>N.A.</u> Decision reached at hearing <u>N.A.</u>
(13)	<u>NCY</u>	<u>8/22/73</u>	All requested information received from agencies or applicant yes ☒ no ☐
(14)	<u>"</u>	<u>"</u>	Action recommended: ☒ Approve ☐ Deny Reason for Reduction <u>Incomplete applic</u> <u>No</u> Measuring device required <u>Sec 42-202</u> ☐ See attached sheet for additional conditions of approval ☒ No additional conditions for approval
(15)	District <u>E</u>	By <u>NCY</u>	Date <u>8/22/73</u>

Affidavit of Publication

County of Caribou }
State of Idaho } ss.

V. E. Lansberry

being first duly sworn on his
oath, states:

That he is publisher
of the Caribou County Sun, a
newspaper of general circula-
tion in Caribou County, Idaho,
published weekly at Soda
Springs in said County, that said
newspaper has been pub-
lished in said County uninterr-
uptedly and continuously for
over seventy-eight consecutive
weeks, prior to the first publi-
cation of the annexed notice or
advertisement;

That the annexed notice was
published as per clipping at-
tached in the regular and entire
edition of said newspaper and
not in any supplement thereof

for two successive weekly
issues thereof, the date of the
first publication being the

2nd day of
August, 1973

The date of the last publication
being the 9th day of
August, 1973

V. E. Lansberry

Subscribed and sworn to be-
fore me this 21st day

of August, 1973

Clair S. Johnson
Notary Public, residing
at Soda Springs, Idaho
(SEAL)

My Commission expires the
1st day of November
1974.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that
Keith H. Bennion, Star Route,
Soda Springs, Idaho, has on July
26, 1973, submitted Application
No. 11-7037 for a permit to ap-
propriate 10 cubic feet per sec-
ond of water from a ground-
water source by means of well
and pump within the NW $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 32, T. 9S, R. 42E, B.M.
Caribou County; to be used from
Jan. 1 to Dec. 31 for domestic
purposes for one family and
from May 1 to Oct. 15 for the
irrigation of 4 acres; all uses
within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32,
T. 9S, R. 42E, B.M.

If issued, this permit will be
subject to all prior water rights.
Protests against the granting of
the permit must be filed with
the Idaho Department of Water
Administration, 240 South
Holmes, Idaho Falls, Idaho,
83401 on or before August 20,
1973.

R. KEITH HIGGINSON
Director

Published in the Caribou County
Sun, Soda Springs, Idaho, on
August 2 and August 9, 1973.

January 27, 1975

Re: Permit No. 11-7037

Mr. Keith Bennion
Star Route
Soda Springs, Idaho 83276

Dear Mr. Bennion:

Enclosed herewith is a copy of the water license issued on the above referenced permit.

We are also enclosing a copy of your approved amendment along with receipt no. 691 in the amount of \$10.00 covering the amendment fee.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosures

MICROFILMED

December 12, 1974

Mr. Keith H. Bennion
Star Route
Soda Springs, Idaho 83276

Dear Mr. Bennion:

A representative of this Department has made an examination of the works covered by your Permit, No. 11-7037 and has found the following:

Quantity of water diverted: 0.06 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 0.06 cfs

The maximum quantity diverted shall not exceed 12.6 acre feet per year.

Beneficial use: For irrigation of 4 acres and for domestic purposes within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, Twp. 9S, Rge. 42E

Point of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, Twp. 9S, Rge. 42E, R.M.

Priority date established: July 26, 1973

The point of diversion and the place of use found by our examiner differs from that listed under your permit, therefore, it will be necessary for you to amend the permit before a Water License can be issued. We are enclosing a partially completed application for amendment for your use. Please sign and return the application to this office with a \$10.00 filing fee within 20 days of the date of this letter in order that we may issue a Water License as set forth above.

If you do not concur with these findings, please contact this office within the 20 day period.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

MICROFILMED

none SEP 10 1974
547 3881
Department of Water Resources
none Eastern District Office

Phone 517 10 1974
547 3881
 Department of Water Resources
 Phone _____
 Eastern District Office

3. Water will be used for the following purposes:

Other uses: _____

Permit No. 11-7037
Examination for b/u

4. Total amount to be appropriated:

Max Rate of Diversion .10 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 9S N/S, Range 42E E/W, B.M., Section 32, Subdivision NW 1/4 SE 1/4, Caribou
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 _____ 1/4 _____ 1/4, _____
County _____

Other Points of Diversions: _____

Description of diverting works: 2 hp submersible pump. Casing is 6", well 175' deep & was completed 9/3/65.

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

[illegible]

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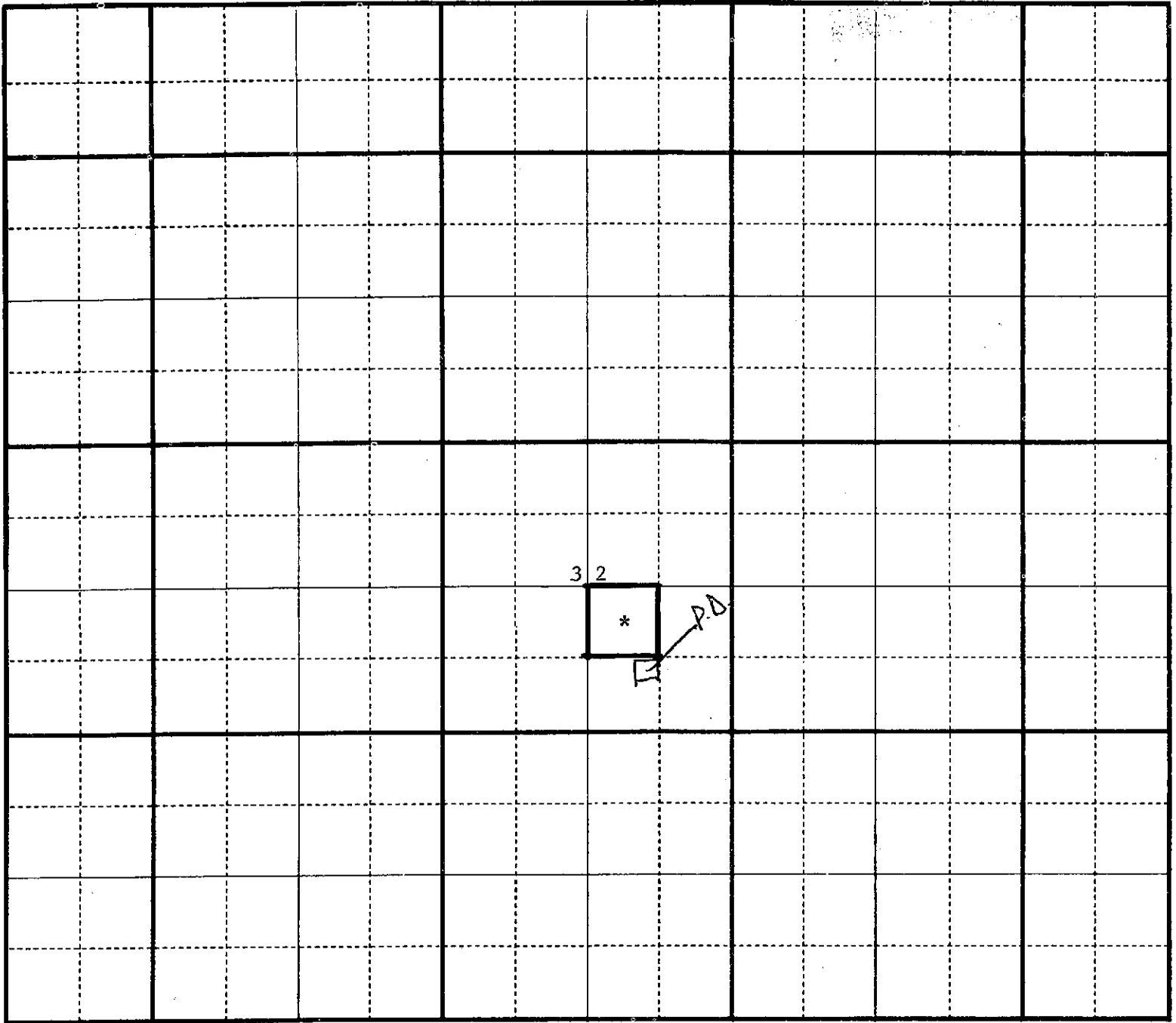
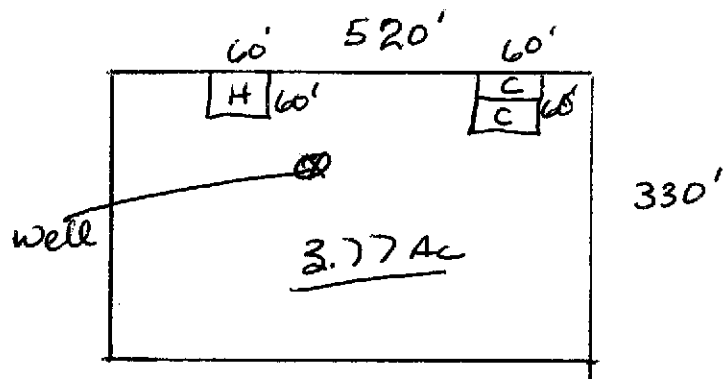


Diagram of System



DATE OF EXAM Oct 11, 1974

ACREAGE
Found 3.77
Recommended 3.77

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = c.f.s. V = 14.0 AF/Ann. from MAY 1 to Oct 15
Domestic Q = .04 c.f.s. V = 1.2 AF/Ann. from Jan 1 to Dec 31
Livestock Q = c.f.s. V = AF/Ann. from to

Is water co-mingled? yes no ✓

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

Exchange? yes no ✓

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

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

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

Total Q measured Method of measurement P.H.

Total Q recommended Meter No. A-203 Type Condition IDWR

Total V recommended

Recommended Amendments:

P.D. X
Place of Use X SW 1/4 SE 1/4 Sec 32 T9S R42E
Other
None

MEASUREMENT CALCULATION:

6 5/32" NO2 @ 45psi
Q = 4.72 gal/NO2 x 6 = 28.32 gal/498.8 = .06 cfs

520' x 330 = 3.94 AC - .17 AC = 3.77 AC IRR.

SYSTEM DESCRIPTION:

Well with 2hp Sub pump.
domestic delivery system 200 gal pressure tank
3" MAIN with 1 lateral 6 NO2 5/32"

REMARKS:

No one present during time of Exam
Carbon County Assessors Office indicates Actual
location SW SE Sec 32 T9S R42E B.M.

Examiner's Signature Bill Rhoads Date Oct 11, 1974

Checked by Loren O Talmer Date Oct 30, 1974

Approved by Date

September 5, 1974

Re: Permit No. 11-7037

Keith H. Bennion
Star Route
Soda Springs, ID 83276

Dear Mr. Bennion:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our District Office in **Idaho Falls**.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG

11-7037

Identification No. 11-7037

Permit No.

RECEIVED

AUG 27 1974 *ok joy*

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Keith H. Bennion
b) Post Office Address Star Route, Soda Springs, Idaho 83226
2. Permit Number 11-7037
3. Date of Priority that you are prepared to establish 7-26-73
4. a) Source from which water was appropriated ground water
b) Location of the point of diversion: NW 1/4 SE 1/4, Section 32
Township 9S, Range 42E Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
amount .04 C.F.S. for Domestic purposes from Jan. 1 to Dec. 31 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount .08 C.F.S. for irrigation purposes from May 1 to Oct. 15 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated .10 cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: The water was measured for a timed period in containers by Ivan Bortz, Drilling Contractor.
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 2 H.P. submersible pump. The casing is 6 inch. The well is 175 feet deep & was completed to 7-65 9-3-65
b) Describe the type and size of measuring device which you have installed at your point of diversion: none
The pump I have has only the capacity listed.
c) Give well drillers name and address and date the well was completed Ivan Bortz
Grace, Idaho well completed 9-3-65

Exam typed 9/6/74 by js

11-7037

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use Domestic use NW 1/4 of SE 1/4 of sec. 32 Township 9 S Range 42 E B.M. Caribou county Idaho

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision:

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	
9 S	42 E	32														4			4

Total number of acres irrigated 4

10. Remarks: I am using a aluminum sprinkler irrigation system

The above information is a true statement of the extent to which the above numbered permit has been developed.

8-26-74 (Date) Keith H. Bennion (Signature)

State of Idaho)
County of Caribou) ss.

On this 26th day of August, 19 74, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Helen B. Kingsford
Notary Public residing at Boda Springs, Idaho

My commission expires August 14, 1977

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)

(Additional charges required for these services)

☐

Show address⁵
where delivered

☐

Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO.

25479

1

Keith H. Bennion

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

DATE DELIVERED

2-
7-~~8~~-74

3

SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

11-7037

U.S. POSTAL SERVICE
OFFICIAL BUSINESS



Postmark of Delivering Office



SENDER INSTRUCTIONS

Print in the space below your name, address, including ZIP Code.

- If special services are desired, check block(s) on other side.
- Moisten gummed ends and attach to back of article.

RETURN
TO

DEPARTMENT OF WATER ADMINISTRATION
STATEHOUSE - ANNEX #2
BOISE, IDAHO 83707

MICROFILMED

July 1, 1974

CERTIFIED MAIL

#25479

Re: Permit No. 11-7037

Keith H. Bennion
Star Route
Soda Springs, ID 83276

Dear Mr. Bennion:

One of the conditions of approval of your water Permit No. 11-7037 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before September 1, 1974. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



R. KEITH HIGGINSON
Director

Enc: Proof affidavit

MICROFILMED

August 29, 1973

Re: Permit No. 11-7037

Keith H. Bennion
Star Route
Soda Springs, ID 83276

Dear Mr. Bennion:

Enclosed is a copy of your approved Application for Permit No. 11-7037 . We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:cd

Enclosure

11 7037

August 20, 1973

Re: Applications for Permit No. 13-7053 Alma L. Pond
No. 11-7037 Keith H. Bennion

Caribou County Sun
P. O. Box 815
Soda Springs, ID 83276

Gentlemen:

Would you please submit affidavits of publication and certified bills in connection with the above referenced applications. The legal notices were to have been published in your paper on August 2 and August 9, 1973.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:mb

11 7037

July 27, 1973

Re: Application for Permit No. 13-7053 - Alma L. Pond
No. 11-7037 - Keith H. Bennion

Caribou County Sun
P. O. Box 915
Soda Springs, ID 83276

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

MORAN C. YOUNG
District Engineer

Bill submitted 8-22-73 by mb

MCY:mb
Enc: Legal Notices (2)

11 7037

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Keith H. Bennion, Star Route, Soda Springs, Idaho, has on July 26, 1973, submitted Application No. 11-7037 for a permit to appropriate .10 cubic feet per second of water from a ground-water source by means of well and pump within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, T. 9S, R. 42E, B.M. Caribou County; to be used from Jan. 1 to Dec. 31 for domestic purposes for one family and from May 1 to Oct. 15 for the irrigation of 4 acres; all uses within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, T. 9S, R. 42E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 240 South Holmes, Idaho Falls, Idaho, 83401 on or before August 20, 1973.

R. KEITH HIGGINSON
Director

Published in the Caribou County Sun, Soda Springs, Idaho, on August 2 and August 9, 1973.

11 7037

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Keith H. Bennion,

Star Route, Soda Springs, Idaho

has on 7/26/73 submitted Application No. 11-7037

for a permit to appropriate .10 cubic feet per second ~~XXXXXX feet per second~~
of water from a ground-water source

by means of well and pump

within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, T. 9S, R. 42E, B.M. Caribou County;

to be used from Jan. 1 to Dec. 31

for domestic purposes for one family and from May 1 to Oct. 15 for the irrigation
of 4 acres; all uses

within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, T. 9S, R. 42E, B.M.

If issued, this permit will be subject to all prior water rights. Protests
against the granting of the permit must be filed with the Idaho Department of
Water Administration, 240 South Holmes, Idaho Falls, Idaho, 83401 on or before
August 20, 1973.

R. KEITH HIGGINSON

Director

Published in the Caribou County Sun, Soda Springs, Idaho

on August 2 and August 9, 1973.

11 7037

100-
100-1

1004

July 26, 1973

Mr. Keith H. Bennion
Star Route
Soda Springs, ID 83276

Dear Mr. Bennion:

Attached herewith is departmental receipt No. 10283 in the amount of \$10.00 for your application for permit which was received in this office under the above date.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:mb

Attachment

11 7037

July 3, 1973

Mr. Keith H. Bennion
Star Route
Soda Springs, ID 83276

Dear Mr. Bennion:

We are returning your application for permit and your check No. 92-127 in the amount of \$10.00 as there is additional information needed before the application can meet the statutory requirements for acceptance:

1. Item 8a (1) must be completed. List the location of the place of use for domestic.
2. Item 8a (4) must be completed.
3. It is necessary that Item 7a be completed with at least 1 year for the completion of works and application of the waters to the proposed beneficial use.

You should also be aware that the Idaho Code limits the rate of diversion for irrigation purposes to .02 cfs per acre. You have indicated a diversion rate of .10 cfs for irrigation which exceeds this limitation. You must either reduce to .08 cfs, your requested diversion rate for irrigation use, or supply this office with adequate justification as to why the additional water is required. We accept as adequate justification a letter from the Soil Conservation Service or other soil experts indicating that due to coarse soil or an usual irrigation system the higher diversion rate is actually required. Please make the necessary additions to the application for permit and return it with the \$10.00 filing fee for processing.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:mb

Enclosures

11 7037