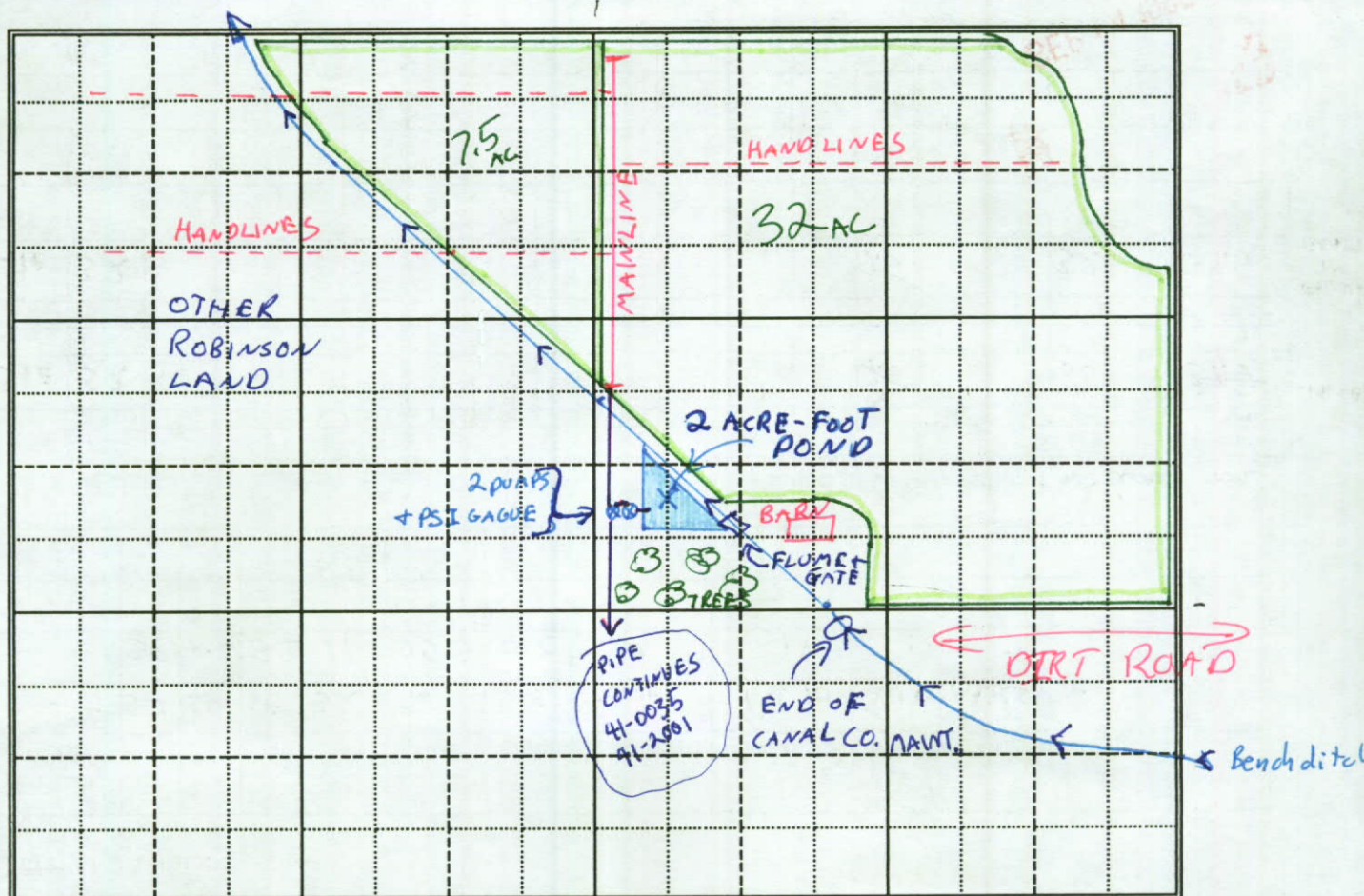


3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____

Copy of USGS 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)

Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
EAST PUMP	BALPOR	7.5	WGL 150ST	PACIFIC PLUMBING	BIMEX GP 20131
WEST PUMP	BALPOR	7.5	JPL 150ST	BERKELEY	MODEL: B2TPM

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
OWNER PSI GAUGE						
PITOT PSI GAUGE						

2. Measurements: OWNER GAUGE = 52 PSI PITOT @ LOWEST HEAD = 47 PSI
PITOT @ HIGHEST HEAD = 40 PSI

$64 \times \frac{5}{32}$ heads @ 45 PSI = 0.70 CFS

SEP 14 1995

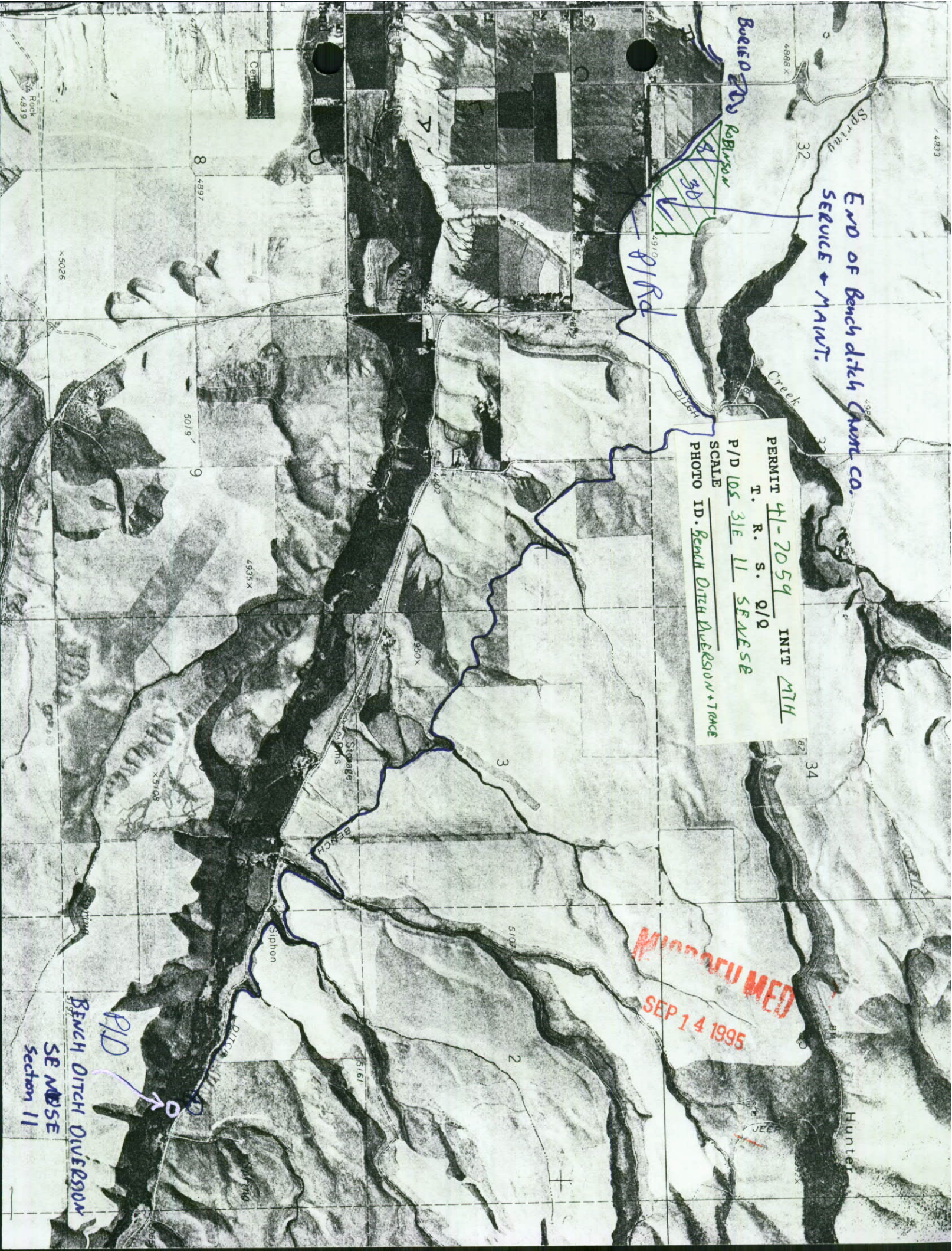
END OF Bench ditch Cantt Co.
SERVICE → MAINT.

PERMIT 41-7059 INIT MTH
T. R. S. Q/Q
P/D LOS 3LE 1L SEWESB
SCALE ID. Bench Ditch DIVERSION + TIME
PHOTO

RECEIVED
SEP 14 1995

BENCH DITCH DIVERSION
SE WISE
Section 11

PLD





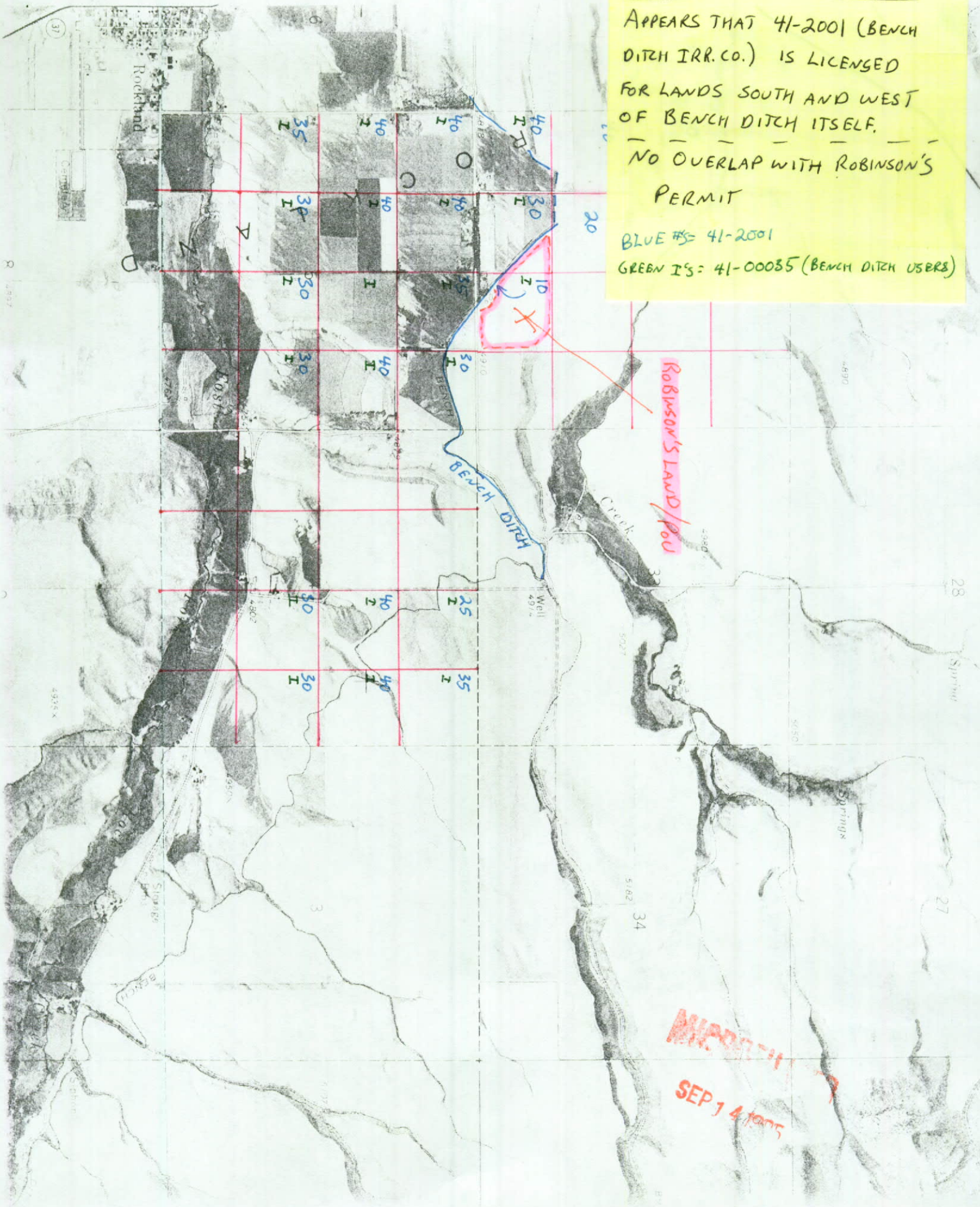
POLY OVERLAP ANAL. FOR 41-7059

APPEARS THAT 41-2001 (BENCH
DITCH IRR. CO.) IS LICENSED
FOR LANDS SOUTH AND WEST
OF BENCH DITCH ITSELF.

NO OVERLAP WITH ROBINSON'S
PERMIT

BLUE #S = 41-2001

GREEN I'S = 41-00035 (BENCH DITCH USERS)



41- 7059
ROBINSON



POU:
7.5 ACRE
FIELD

MAINLINE
IN GRASS



POU
30+ ACRE
FIELD

SEP 14 1995

41-7059
ROBINSON



P/D
Two 7.5 HP
PUMPS

RE-DIVERSION
FROM
BENCH
CREEK



P/D
2 ACRE-FOOT
POND

REC'D

SEP 14 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 41-07059

Priority: June 16, 1982

Maximum Diversion Rate: 0.30 CFS

Maximum Diversion Volume: 127.3 AF

This is to certify, that JAMES ROBINSON
PO BOX 157

ROCKLAND ID 83271 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated June 16, 1982; and
has submitted Proof of Beneficial Use on April 22, 1993. An examination indicates
that the works have a diversion capacity of 18.700 cfs of water from:

ROCK CREEK, EAST FORK tributary to ROCK CREEK

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	04/01 to 10/31	0.30 CFS	127.3 AF

LOCATION OF POINT(S) OF DIVERSION: NWSE , Sec. 11, Township 10S, Range 31E
POWER 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>
09S	31E	32	SESW 7.5	SWSE 30		37.5

Total number of acres irrigated: 37.5

CONDITIONS OF APPROVAL AND 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. The issuance of this right does not grant any right-of-way or easement across the land of another.
6. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

UNRECORDED

SEP 14 1995

State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

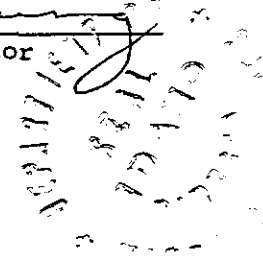
WATER RIGHT NO. 41-07059

CONDITIONS OF APPROVAL AND REMARKS

7. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
8. Use of water under this water right will be regulated by the watermaster of State Water District No. 41.
9. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
10. This right when combined with the rights of the Bench Ditch Irrigation Co. shall not exceed the diversion rate and diversion volume of the Bench Ditch Irrigation Co. water rights.
11. This right shall not be exercised unless the owner holds adequate shares in the Bench Ditch Irrigation Co.

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 6TH
day of SEPTEMBER, 1995.


Acting for KARL J. DREHER, Director



SEP 14 1995

RECEIVED

APR 22 1993

Department of Water Resources

OFFICE USE ONLY

Amt. of Fee \$ 100.00
Date 4-22-93
Receipt No. C027295
Receipt by CA

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have 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, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 41-07059 Telephone No. (208) 548-2255
2. Name(s) of Permit Holder(s): James Robinson
3. Mailing Address: P.O. Box 157 Beckled Id. 83271
4. Source of Water: Rock Creek, East Fork

If **GROUNDWATER**, Well Driller's Name: _____ Date Drilled: _____

OPTIONAL:

Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use (as authorized by the permit):

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation 37.5 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted .30 cfs OR _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Lockable
Measuring device: Required? Yes No Installed? X Yes No

OR

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

8. Fee Enclosed: \$ _____ (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

James Robinson 208-548-2255
Name Telephone No.
P.O. Box 157 Beckled Id. 83271
Address

10. 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.

20 April 93
Date

James L. Robinson
Signature (and title, if on behalf of a company or organization)

MAY 21 1993

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 41-07059

Proposed Priority: June 16, 1982 Maximum Diversion Rate: 0.30 CFS
This is to certify, that JAMES ROBINSON

P.O. BOX 157
ROCKLAND, ID 83271

has applied for a permit to appropriate water from:

ROCK CREEK, EAST FORK tributary of ROCK CREEK

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/01 to 11/30	0.30 CFS

<u>LOCATION OF POINT(S) OF DIVERSION:</u>	NWSE	Sec. 11, Township 10S, Range 31E
Rediversion	SESW	Sec. 32, Township 09S, Range 31E POWER 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>
09S	31E	32	SESW 7.5	SWSE 30		37.5
Total number of acres irrigated:						37.5

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 1993.
2. Subject to all prior water rights.
3. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
4. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
5. Use of water under this permit is subject to control by the watermaster of State Water District No. 41.
6. A lockable device, subject to the approval of the Department, shall be installed on the diverting works in a manner that will provide the watermaster suitable control of the diversion prior to diversion of water under this permit.
7. The issuance of this permit in no way grants any right-of-way or easement across the land of another.
8. 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.

RECEIVED
MAY 30 1990

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

NO. 41-07059

CONDITIONS/REMARKS:

9. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
10. This right when combined with the rights of Bench Ditch shall not exceed the total diversion rate of Bench Ditch Water rights.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

16th day of

May, 19 90

for J. Glen Saxton
R. Keith Higginson, Director

RECORDED
MAY 30 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant James Robinson Phone 548-2255

Post office address Box 157, Rockland, ID 83271

2. Source of water supply East Fork Rock Creek which is a tributary of Rock Creek

3. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 11 Township 10S

Range 31E B.M. Power County, additional points of diversion if any: _____

Rediversion SE $\frac{1}{4}$ SW $\frac{1}{4}$ sec 32 Twp. 9S R. 31E

4. Water will be used for the following purposes:

Amount 0.30 cfs for Irrigation purposes from Mar 1 to Nov. 30 (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)

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

5. Total quantity to be appropriated:

a. 0.30 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 and earth ditch to Pond
with 47.5 hp Electric pump to sprinkler system

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir
capacity 6 acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ 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:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.

(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 _____.

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

MICROFILMED

MAY 30 1990

IDENTIFICATION

Irrigation Systems.

but only seeks to use excess water created by changing

10. Remarks: Regulator does not intend to appropriate additional water.

Beard died has right of way through 420 on State land

~~This land owned by his Grand mother.~~

Applicant has cash lease agreement to farm

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

b. Who owns the land to be irrigated or place of use _____ Escher Robinson

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

Sprinkler irrigation on land in SE SW Sec 32.

to use excess water gained from changing from flood irrigation to

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

Total number of acres to be irrigated

37.5

5
A1100
38 AC 005
7/27/82

[illegible]

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



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.

MICROFILMED

MAY 30 1990

James Robinson
(Applicant)

Proposed Priority 6/16/1982

Received by T.G. Bly Date 6-16-82 Time 2:00

Preliminary check by D.S. Fee \$ 45 # 50833

Receipted by meysa Date 6/17/82

Publication prepared by meysa Date 6/24/82

Published in Idaho Co. Press

Publication dates 7/8 & 7/15/82 7/7 & 7/14/82

Publication approved meysa Date 7/19/82

Protests filed by: None

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for (approval) denial by ADM 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. 41-7059, 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 August 1, 19 87.
- 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.
A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
The issuance of this permit in no way grants any right-of-way or easement across the land of another.
Use of water under this permit is subject to control by the watermaster of State Water District No. 41, Rock Creek.

Witness my hand this _____ day of

Chief, Operations Bureau

RECEIVED
MAY 30 1990



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 7, 1995

JAMES ROBINSON
PO BOX 157
ROCKLAND ID 83271

RE: WATER RIGHT NO. 41-07059

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,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED
SEP 14 1995

IDAHO DEPARTMENT OF WATER RESOURCES
PLACE OF USE 1/4 1/4 COMPARISON REPORT

DATE: 10/04/94
PAGE: 1

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '1' ARE ADJUDICATION CLAIMS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
4107059	T09S R31E S32 ROCK CREEK, EAST FORK													07			30	37
A4100018	ROCK CREEK :											22	39				35	96
A4100020A	ROCK CREEK :											22	39				35	96
A4100023	ROCK CREEK :											22	39				35	96
A4100031A	ROCK CREEK :											22	39				35	96
4100035	ROCK CREEK :											1	1				1	
4102001	ROCK CREEK :							30		20	40	40	30				10	170
A4102001	ROCK CREEK :											22	39				35	96
4104031	SPRING CRE :			12	16											29	04	61
A4104031	SPRING CRE :			34	16				07						21	02	03	83
4107005	GROUNDWATE :											30	35					65
L4107059	ROCK CREEK :												07				30	37
A4110009	ROCK CREEK :											22	39				35	96

WR5809NP
No. 41-00035

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/04/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BENCH DITCH USERS	05/10/1884	IRRIGATION	00-00 00-00	8.00 CFS	
TOTAL DIVERSION:					8.00 CFS	

Water Source: ROCK CREEK, EAST FORK

Tributary to: ROCK CREEK

Stage: DECREED

Point(s) of Diversion:

T10S R31E S11

NWSE

POWER County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
09S	31E	32	:					:					:			I	I	:			I		:	
10S	31E	3	:					:					:	I	I	I	I	:			I		:	
10S	31E	4	:					:					:					:	I	I	I	I	:	
10S	31E	5	:	I	I	I	I	:	I	I	I	I	:	I	I			:	I	I			:	
10S	31E	6	:	I	I	I	I	:					:					:	I	I			:	
10S	31E	10	:		I			:					:					:					:	

Pou County: POWER

Other Water Rights with Same Point(s) of Diversion and Source:

41-00018 41-00020B 41-00036 41-02001 41-07059 L41-07059

Other Water Rights Listing Overlapping Place(s) of use:

41-00018 41-00020B 41-00021 41-00023 41-00026 41-00029 41-00031 41-02001 41-04028 41-04037
41-07005 41-07059 41-07061 41-07067 41-07073 L41-07059

Remarks: P/U NOT GIVEN IN DECREE BUT VERIFIED BY WATERMASTER.
AC. IRRIG. = 350.
THE SUPPORTING DOCUMENT IS NOT A DECREE BUT IS MERELY AN
ARBITRATOR'S FINDINGS AND CONCLUSIONS. THE ONLY PARTY
LISTED IN PLEADINGS IS H. P. HOUTZ.

Dates: App. Received: Priority Date: 05/10/1884
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 41 Field Exam Fee:

Audit: 01/27/87 05/28/88 CONVERT

Overlap

WR5809NP
No. 41-02001

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/04/94
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BENCH DITCH IRRIGATION CO. ROCKLAND ID	09/14/1908	IRRIGATION DOMESTIC	00-00 00-00 00-00 00-00	9.00 CFS	
TOTAL DIVERSION:					9.00 CFS	

Water Source: ROCK CREEK, EAST FORK

Tributary to: ROCK CREEK

Stage: LICENSE

Point(s) of Diversion:

T10S R31E S11

NWSE

POWER County

Place of use Legal Description for: IRRIGATION

NE												NW				SW				SE															
T	R	S	NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE		SUM
			Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac			
09S	31E	31	:							05	:																							5.0	
09S	31E	32	:								:				30	:			20		40		40		30	:					10			170.0	
10S	31E	3	:								:												20		06	:					06			32.0	
10S	31E	4	:								:								20							:						25		45.0	
10S	31E	5	:	30		35			40	:	40		40		40		40		30		35					30		30					390.0		
10S	31E	6	:	35		25		40	40	:																30		30					200.0		
10S	31E	10	:			30				:	30																						60.0		
																												TOTAL ACRES	902.0						

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Pou County: POWER

Other Water Rights with Same Point(s) of Diversion and Source:

41-00018 41-000208 41-00035 41-00036 41-07059 L41-07059

Other Water Rights Listing Overlapping Place(s) of use:

41-00018 41-000208 41-00021 41-00023 41-00026 41-00029 41-00031 41-00035 41-04028 41-04037
41-07005 41-07059 41-07067 41-07073 L41-07059

Dates: App. Received: Priority Date: 09/14/1908
Proof Due Date:
Exam Made Date: Proof Made Date:
Exam Sent to S.O.:
Licensed Date: 06/28/1979

Misc: Water District Number: 41B Field Exam Fee:

Audit: 04/23/85 05/28/88 CONVERT

WR5809NP
No. 41-07005

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/04/94
PAGE: 3

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BENCH DITCH IRRIGATION CO. ROCKLAND ID 83271	02/11/1971	IRRIGATION	06-01 10-01	2.00 CFS	
TOTAL DIVERSION:					2.00 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: APPLICATION

Point(s) of Diversion: T09S R32E S33 SESW POWER County

Place of use Legal Description for: IRRIGATION

NE												NW				SW				SE																				
T	R	S	NENE		NWNE		SWNE		SENE		:	NENW		NWNW		SWNW		SENW		:	NESW		NWSW		SWSW		SESW		:	NESE		NWSE		SWSE		SESE		:	SUM	
---	---	---	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	---			
09S	31E	32	:								:									:									:								:	65.0		
10S	31E	4	:								:			25		40				:				30					:								:	95.0		
10S	31E	5	:		30		35		40		40	:	40		40		40		40	:									:								:	305.0		
10S	31E	6	:		30		10		35		40	:								:							25		10	:							:	150.0		
																																							TOTAL ACRES	615.0

Pou County: POWER

Other Rights: ROCK CK. DECREED WTR.

Other Water Rights Listing Overlapping Place(s) of use:

41-00018 41-00035 41-02001 41-04028 41-04037 41-07059 41-07061 41-07067 L41-07059

Remarks: PROTESTANT: ONA WALKER
Application being held pending withdrawal of drought moratorium.

Dates: App. Received: Priority Date: 02/11/1971
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Audit: 09/17/86 05/28/88 CONVERT 06/19/89 CURTIS 11/09/92 BALDWIN

AJ5809NP
No. A41-00018

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/04/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BENCH DITCH IRRIGATION CO. P.O. BOX 157 ROCKLAND ID 83271 (208) 548-2255	05/15/1887	IRRIGATION STOCKWATER	04-15 10-15 01-01 12-31	0.20 CFS 0.12 CFS	
TOTAL DIVERSION: CONSUMPTIVE USE:					0.20 CFS	2638.80 AFA

Water Source: ROCK CREEK, EAST FORK

Tributary to: ROCK CREEK

Stage: DECREED

Point(s) of Diversion:

T10S R31E S11

SEWNSE

POWER County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE																				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM															
09S	31E	32	:													22	39			35	:	96.5														
10S	31E	3	:													10	17			12	:	72.9														
10S	31E	4	:				09			13	05	08		16	02			05	01		15	:	75.0													
10S	31E	5	:		32	35	29	25		40	35	40	40		40	40		35	30			:	422.6													
10S	31E	6	:		27	06	38	39										35	35			:	182.1													
10S	31E	10	:			28				02												:	30.5													
																				TOTAL ACRES																879.6

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: POWER

Non-Irrigation Uses: S/500 BEEF STOCK

Other Rights: A41-00020, 00023, 00031, 02001, 10009, APP. 41-07005

Other Water Rights with Same Point(s) of Diversion and Source:

A41-00020A A41-00023 A41-00031A A41-00035 A41-00036 A41-02001 A41-10009

Other Water Rights Listing Overlapping Place(s) of use:

A41-00020A A41-00021 A41-00021A A41-00021B A41-00022 A41-00023 A41-00026 A41-00029 A41-00030A A41-00031
A41-00031A A41-00035 A41-00048 A41-02001 A41-04028 A41-10009 A41-10087 A41-10091 A41-10092

Remarks: SEE TRANS. 244
DECREE CURRENTLY USED IN CONJUNCTION WITH OTHER RIGHTS ON ~880
CLAIMED ACRES. THE WATER IS DELIVERED TO THE PROPERTY OF 12
SHAREHOLDERS BY BENCH DITCH IRRIGATION CO.

Dates: Exam Made Date: Verified Date:

Misc: Water District Number: 41 Field Inspection Flag:
Presumption Flag: 0

Audit: 02/02/90 WHITE

AJ5809NP
No. A41-00020A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/04/94
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BENCH DITCH IRRIGATION CO. P.O. BOX 157 ROCKLAND ID 83271 (208) 548-2255	02/15/1879	IRRIGATION STOCKWATER	04-15 10-15 01-01 12-31	0.40 CFS 0.12 CFS	
TOTAL DIVERSION: CONSUMPTIVE USE:					0.40 CFS	2638.80 AFA

Water Source: ROCK CREEK, EAST FORK

Tributary to: ROCK CREEK

Stage: DECREED

Point(s) of Diversion:

T10S R31E S11

SENWSE

POWER County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE																				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM															
09S	31E	32	:											22	39			35		:	96.5															
10S	31E	3	:											10	17			12		:	72.9															
10S	31E	4	:				09			13	05	08		16	02			05	01	15	:	75.0														
10S	31E	5	:	32	35	29	25		40	35	40	40		40	40			35	30		:	422.6														
10S	31E	6	:	27	06	38	39											35	35		:	182.1														
10S	31E	10	:		28				02												:	30.5														
																				TOTAL ACRES																879.6

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: POWER

Non-Irrigation Uses: S/500 BEEF STOCK

Other Rights: A41-00018, 00023, 00031, 02001, 10009, APP. 41-07005

Other Water Rights with Same Point(s) of Diversion and Source:

A41-00018 A41-00023 A41-00031A A41-00035 A41-00036 A41-02001 A41-10009

Other Water Rights Listing Overlapping Place(s) of use:

A41-00018 A41-00021 A41-00021A A41-00021B A41-00022 A41-00023 A41-00026 A41-00029 A41-00030A A41-00031
A41-00031A A41-00035 A41-00048 A41-02001 A41-04028 A41-10009 A41-10087 A41-10091 A41-10092

Remarks: DECREE CURRENTLY USED IN CONJUNCTION WITH OTHER RIGHTS ON 7880
CLAIMED ACRES. THE WATER IS DELIVERED TO THE PROPERTY OF 12
SHAREHOLDERS BY BENCH DITCH IRRIGATION CO.

Dates: Exam Made Date: Verified Date:

Misc: Water District Number: 41 Field Inspection Flag:
Presumption Flag: D

Audit: 02/15/90 CLELLAND

Remarks: DECREE CURRENTLY USED IN CONJUNCTION WITH OTHER RIGHTS ON 7880 CLAIMED ACRES. THE WATER IS DELIVERED TO THE PROPERTY OF 12 SHAREHOLDERS BY BENCH DITCH IRRIGATION CO. THIS CLAIM REPRESENTS A COMBINED RIGHT FOR DECREE 41-00035 & 36. 41-00036 WAS ORIGINALLY DECREED FOR ONLY DOMESTIC USE BUT THE ATTACHED DOCUMENT STATES THAT 400" OF 5/10/1884 WATER, REPRESENTING THE COMBINED AMOUNT, IS TO BE USED FOR IRRIGATION DURING THE IRRIGATION SEASON. IT FURTHER STATES THAT SINCE THE SETTLERS CLAIMING LAND UNDER SAID DITCH LIVE UPON A HIGH BENCH AND ARE ENTITLED TO 75" OF THE 400" FOR DOMESTIC PURPOSES AT ALL TIMES.

AJ5809NP
No. A41-10009

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/04/94
PAGE: 4

=====

Dates:	Exam Made Date:	Verified Date:
Misc:	Water District Number: 41	Field Inspection Flag:
		Presumption Flag: D
Audit:	02/02/90 WHITE	

M E M O R A N D U M

DATE: September 6, 1995

TO: File 41-07059

FROM: Shelley W. Keen *SWK*

RE: Capacity of the Diversion Works

=====

Because the capacity of the diversion works at the East Fork of Rock Creek were not reported, the diversion capacity was estimated by totalling the diversion rate of the Bench Ditch rights diverted at that point.

RECEIVED

SEP 14 1995

STAFF ANALYSIS SHEET FOR BENEFICIAL USE FIELD EXAMS:

PERMIT NO. 41-07059

A. Items To Be Placed In Exam File (Items A & B to be Completed by Compiler)

- (☒) Blank Field Report & Notice of Completed Exam
- (☒) Copy of App. for Permit, Approved Permit, Amendments, Orders, Assignments, Proof of Beneficial Use, SRBA Claim (Claim Filed? _____ Required? _____)
- (☒) Well Inspection Form, Dairy Water-Use Worksheet (if applicable)
- (☒) Well Log(s) & Groundwater Measurement Analysis Form (if applicable)
- (☒) Copy of Orthophotoquad Map
- () 660-Scale Aerial Photo (Examiner Will Obtain If Applicable)
- () Government Lot Plats (If Applicable)

B.1. P/D Overlap - Yes or No? If Yes, Include Copy of Overlapping Rights & Claims

- If Yes, Type of Overlap: () Add Acres or Uses to Existing System
() Increase Rate of Flow or Volume

B.2. P/U Overlap - Yes or No? If Yes, Include Copies of Overlapping Rights & Claims

- If Yes, Type of Overlap: () Increase Rate of Flow or Volume
() Add Supplemental Water Source
() Increase Acres Within Tracts

C. Field Exam Appointment Made:

Date 6-1-94 Time _____ Place _____

Contact Person & Phone _____

D. Post-Exam Review & Processing

Exam Completed 6-1-94 Notice of Completion Turned In 7-22-94
Field Report Completed 6-3-94 Mitchell Hardley 7-22-94
Signature of Examiner & Date
Field Report Reviewed by Sr. Agent MTS-7-28-94 (Initial & Date)
Field Report Reviewed by Region Mgr. _____ (Initial & Date)
Field Report Sent to S.O. _____ Region Card File Updated _____

RECEIVED
SEP 14 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
SEP 21 1994
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 41-7059

1. Owner: Robinson, JAMES Phone No. 548-2255

Current Address: P.O. Box 157, Rockland, ID 83271

2. Accompanied by: JAMES Robinson EXAM DATE: 6/1/94

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: Rock Creek, East Fork tributary to Rock Creek

B. OVERLAP REVIEW

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

2. Other water rights with the same point of diversion: 41-0035, 41-2001

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	—	SW	SW	SE	32	9s	31E	POWER	Photo Quad/ASCS
		SE	NW	SE	11	10S	31E	"	" " "

2. Place(s) of Use:

Indicate Method of Determination Photo Quad / ASCS

	TWP	RGE	SEC	NE				NW				SW				SE				Totals
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
CLAIMED	9s	31E	32												7.5			30		38
																				37.5
FOUND IN EXAM	9s	31E	32												7.5			32		39.5

SEP 1 1995

SEP 14 1995

64 x 5 1/2" heads @ 45 PSI = 0.70 cfs

P.107 @ HIGHEST HEAD = 40 PSI

2. Measurements: Overhead gauge = 52 PSI P.101 @ lowest HEAD = 47 PSI

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Overhead PSI Gauge						
Pitot PSI Gauge						

D. FLOW MEASUREMENTS

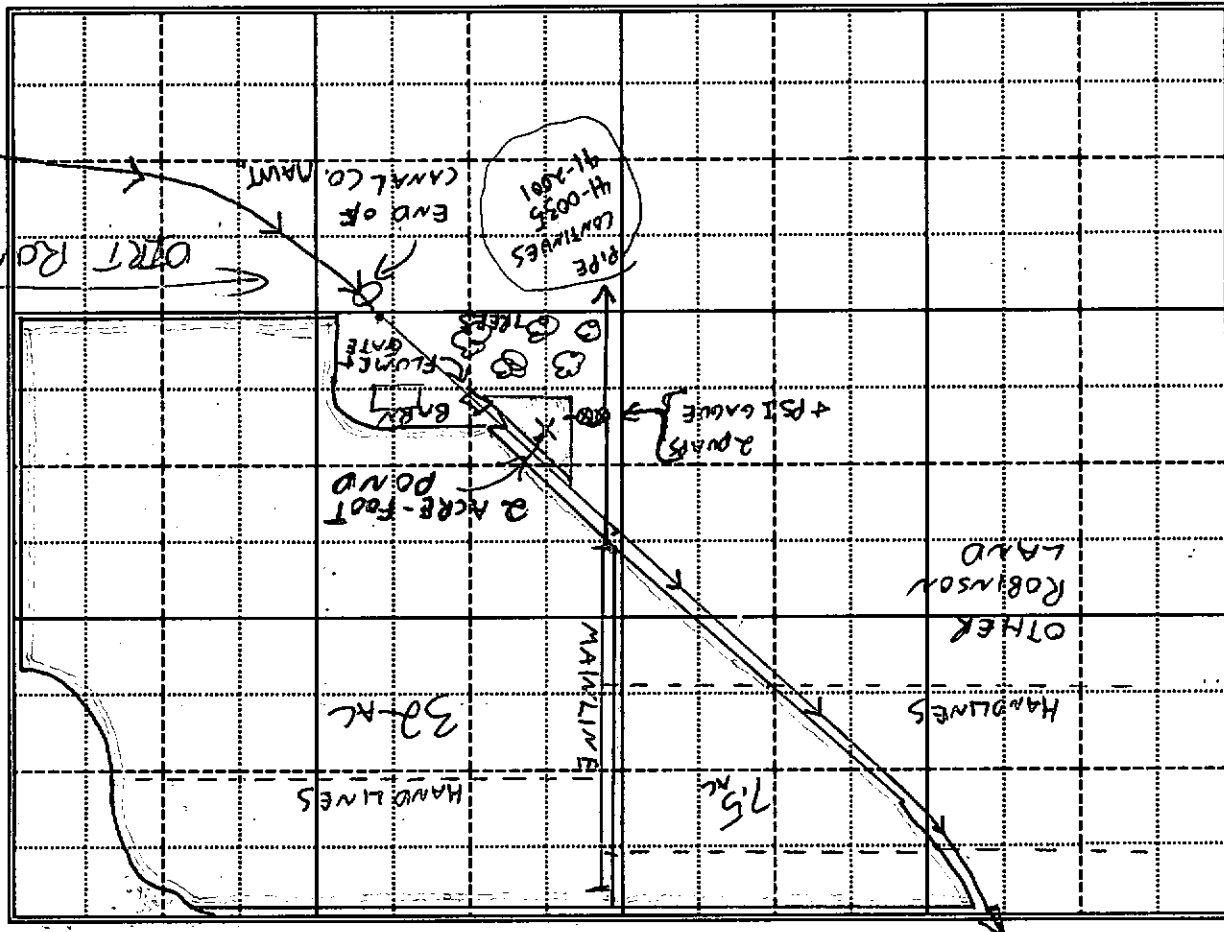
*Code to correspond with No. on map and aerial photo

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
EAST PUMP	BALPOR	7.5	UGL 150ST	Pacific Plumbing	BIMEX GP 20131
WEST PUMP	BALPOR	7.5	SPL 150ST	BERKLEY	Model: B2TPM

4.

Copy of USGS 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)
Photo of Diversion and System Attached

Scale: 1" =



3. Delivery System Diagram: Indicate all major components and distances between components. Indicate well size/ditch size/pipe l.d. as applicable.

E. NARRATIVE/REMARKS/COMMENTS

WATER IS DIVERTED FROM BENCH DITCH INTO A 2 ACRE-FOOT POND FOR 36 HOURS OUT OF EVERY 44. TWO 7.5 HP PUMPS LOCATED BEYOND THE WEST EDGE OF THE POND SIT 4 FEET BELOW THE POND'S SURFACE AND MOVE WATER THROUGH A NORTH-SOUTH 6" MAINLINE. THE NORTH END OF THE ~~ARE~~ MAINLINE SITS ABOUT 15 FEET ABOVE THE PUMPS RESULTING IN A DECREASE OF PRESSURE THERE. HANDLINES EXTEND FROM THE MAINLINE TO IRRIGATE THE 37.5 ACRES CLAIMED.

CANAL COMPANY (BENCH DITCH IRRIGATION) MAINTENANCE AND WATER ENDS JUST BEFORE CROSSING NORTH ON THE DIRT ROAD JUST SOUTH OF THESE 37.5 ACRES.

THESE SAME PUMPS ARE ALSO USED TO DIVERT WATER TO ROBINSON LAND SOUTH OF THE ROAD. THESE LANDS ARE COVERED UNDER 4/-0035 AND 4/-2001. DURING THE EXAM, WATER WAS NOT BEING DELIVERED TO THESE LANDS.

Have conditions of permit approval been met? ☒ yes ☐ no

SEP 14 1995

F. FLOW CALCULATIONS

X Additional Computation Sheets Attached

Measured Method: SPRINKLER: 64 heads ($\frac{5}{32}$ ") @ 45 psi = 0.70 cfs

THEORETICAL: 15 MP, 10 FT LIFT, 52 PSI = 0.71 CFS
AT PUMPS

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \frac{37.5 \times 38 \times 4.0}{150.0} = 152$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 298.5$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{150.0 \quad 152}$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	4 / 1	11 / 1	0.30	~~150.0~~
				152
				~~152~~
		Totals:	0.30	~~150.0~~

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

I. AUTHENTICATION

Field Examiner's Name Michael J. Harrell Date 6-3-94

Reviewer _____ Date _____

SEAL

* See attached explanation memo. Bc

SEP 14 1995

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

FILE: 41-7059
DATE: 6-2-94
BY: MTH

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8) \times (\text{H.P.}) \times (\text{EFF.})}{\text{TDH}}$

Q = CFS
H.P. = Total Brake Horsepower of pumping plant (including booster)
EFF. = Pumping plant efficiency (ASSUME 70% OR 0.70)
TDH = total dynamic head = [(LIFT) + (PSI X 2.31)]
LIFT = depth to water in FEET from land surface to pumping water level
PSI = pumping pressure measured in psi near pump (if open discharge assume zero [0])

$$Q = \frac{(8.8) \times (15 \text{ H.P.}) \times (0.70)}{[(10.0) + (52 \text{ PSI} \times 2.31)]} = 0.71 \text{ cfs}$$

LIFT FROM:	PSI FROM:	NOTES ON PUMP:
usual measurement ☒	measurement ()	Motor Make, Serial or ID
owner ()	owner ()	
area estimate ()	estimate ()	Pump Make, Serial or ID, rating
well logs ()	owner gage ☒	
Booster (Y) ☒		
REMARKS *PUMPS ARE 4 FT BELOW POND SURFACE, BUT SPRINKLERS RANGE FROM 10-15 FT ABOVE PUMPS. AVERAGE = 10 FT LIFT		

ANNUAL VOLUME ANALYSIS

POTENTIAL Acre Feet/Acre/Annum = $\frac{(\text{DAYS IN SEASON}) \times (1.98) \times (Q)}{(\text{RECOMMENDED ACRES IRRIGATED})}$

(season)	(days)	
3/15 - 11/15	246	
4/1 - 11/1	215	
4/15 - 10/15	184	
3/1 - 12/1	276	

$$\text{POTENTIAL} = \frac{(215) \times (1.98) \times (0.71)}{(37.5)} = 8.1$$

REQUIRED Acre Feet/Acre/Annum = 4
(AF/Ann/Ac irrigation requirement from chart for area)
NOTE that this is NOT Consumptive use

IF POTENTIAL IS GREATER THAN REQUIRED THEN NO MEASUREMENT NECESSARY (G)
IF POTENTIAL IS LESS THAN REQUIRED THEN MEASUREMENT IS NECESSARY ()

SEP 14 1995

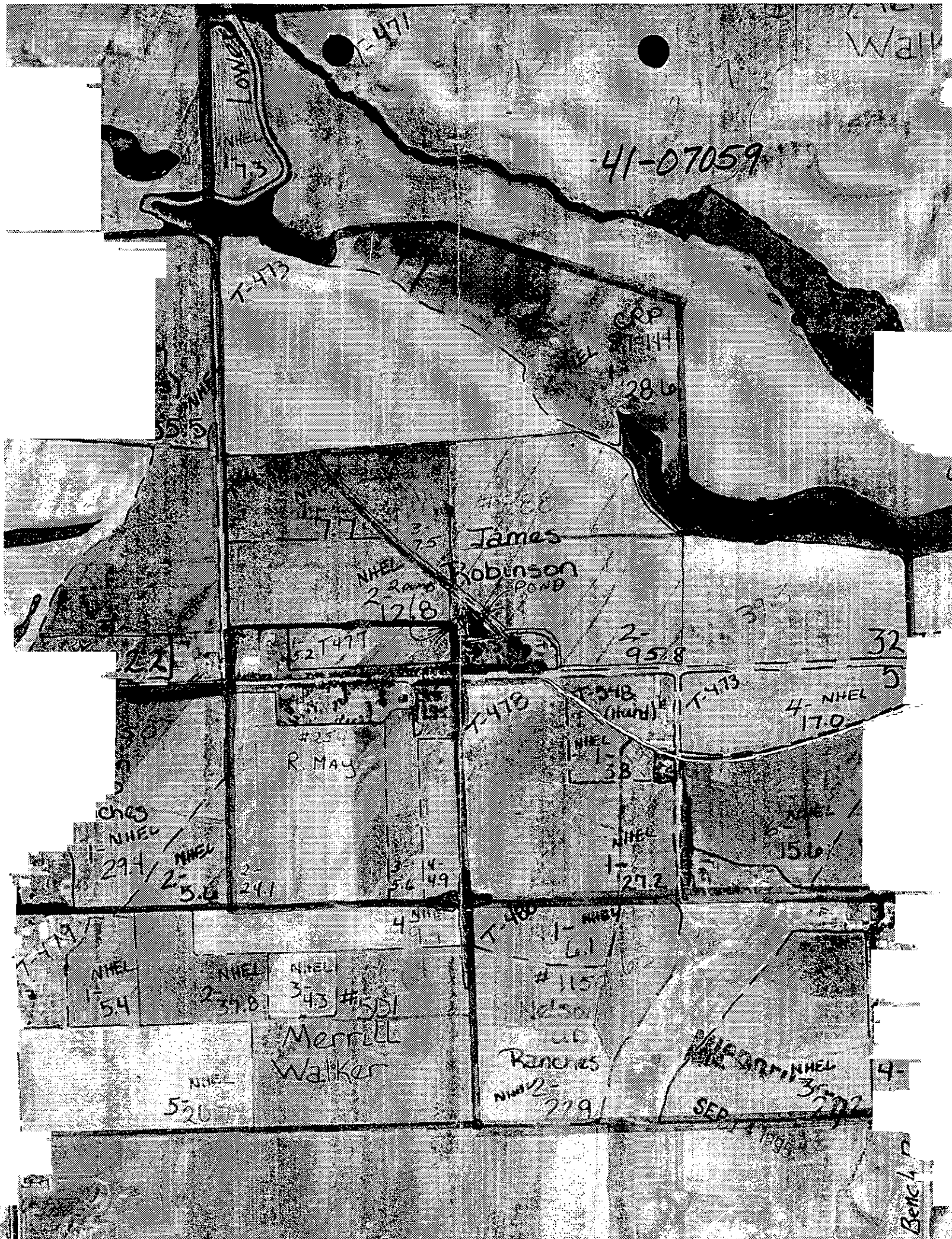
END OF Bench ditch Grunt CO.
SERVICE + MAINT.

Bufile 200-104000
Robinson

PERMIT 41-7059 INTT MTM
T. R. S. Q/O
P/D LOS 31E 11 SKNESC
SCALE
PHOTO ID. BENCH DITCH AVE 850 N. + 70ACE

RECEIVED
SEP 14 1995

BENCH DITCH DIVE 290A
SE MESE
Section 11



W/M

41-07059

T-473

GRP
#144

28.6

James
Robinson
POND

NHEL
2-200
12/8

52T477

2-95/8

32

4- NHEL
17.0

#254
R. MAY

T-473
#348
(Hand)

NHEL
1-38

Ches

NHEL
1-294

NHEL
2-5.6

2-241

3-14-49
5.6

NHEL
1-27.2

NHEL
6-15.6

T-473

NHEL
1-54

NHEL
2-34.8

NHEL
3-43

#501

Merrill
Walker

NHEL
5-20

T-480

1-ANDY
6.1

#115

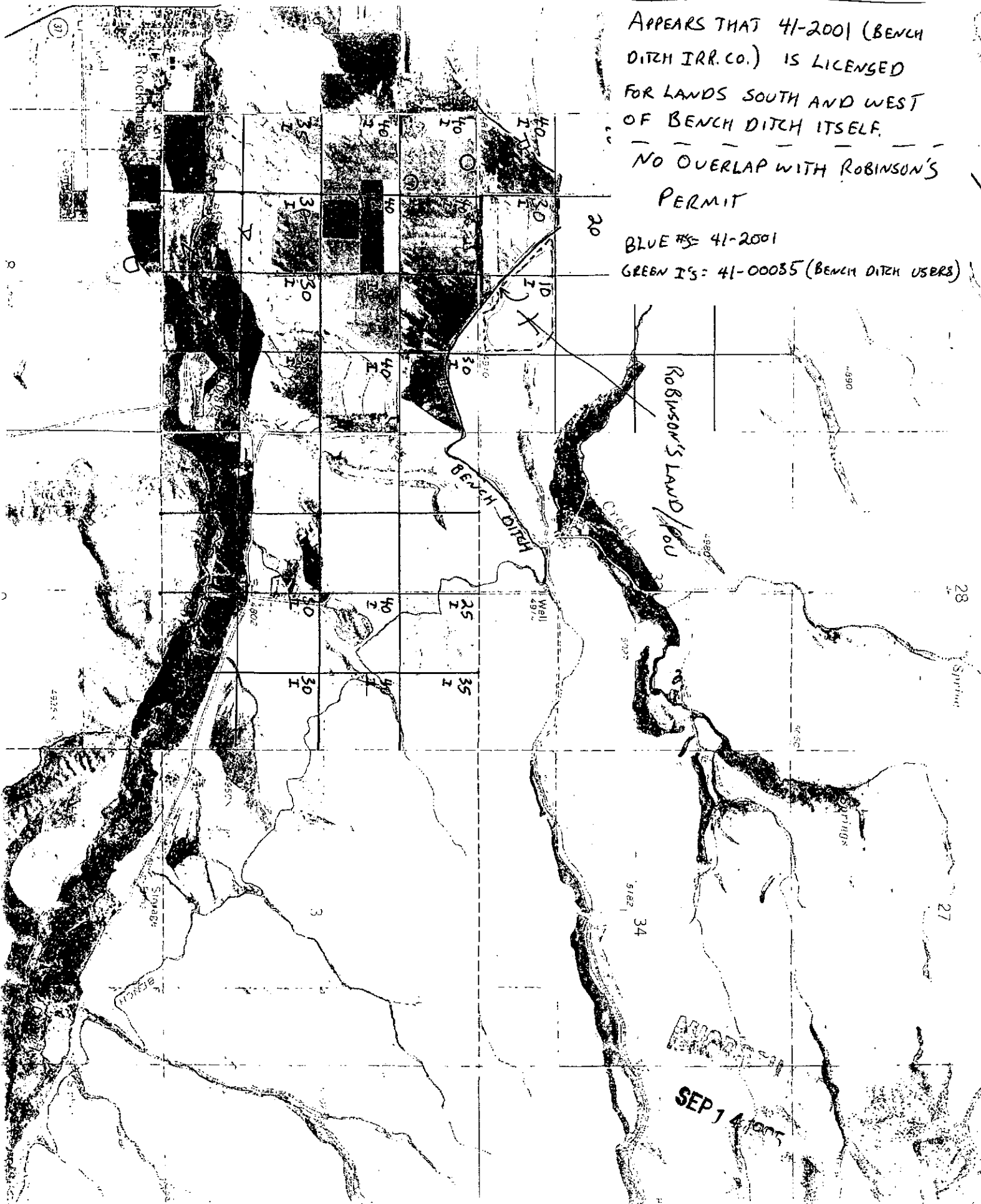
Nelson
Ranches
NHEL 2-77.9

NHEL
3-27.2
SED

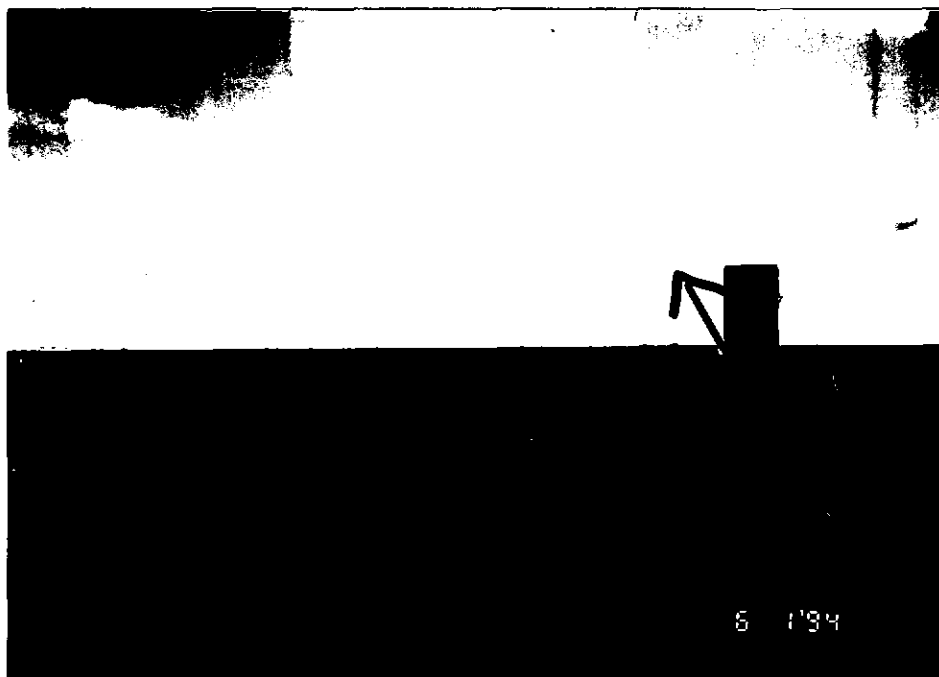
4-

Bench

BLUE #s = 41-2001
GREEN I's = 41-00035 (BENCH DITCH USERS)



41- 7059
ROBINSON



POU:

7.5 ACRE
FIELD

MAINLINE
IN GRASS

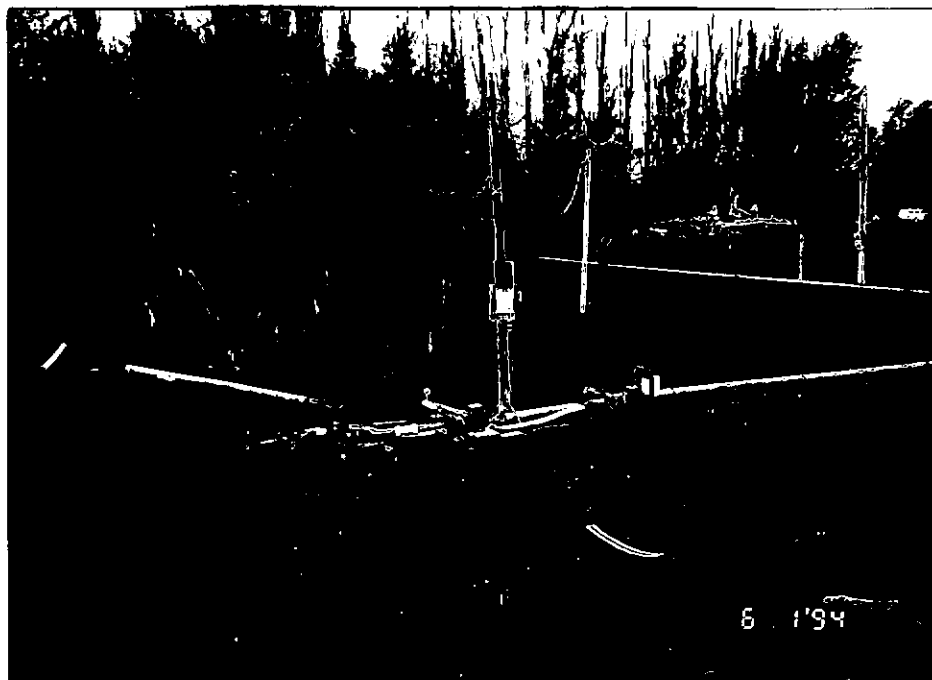


POU

30+ ACRE
FIELD

SEP 14 1995

41-7059
Robinson



P/O
Two 7.5HP
Pumps

RE-DIVERSION
FROM
BENCH
CREEK



P/O
2 ACRE-FOOT
POND



SEP 14 1995

April 30, 1993

JAMES ROBINSON
P.O. BOX 157
ROCKLAND ID 83271

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 41-07059

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208)736-3033.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

RECEIVED
MAY 21 1993

March 31, 1993

JAMES ROBINSON
P.O. BOX 157
ROCKLAND ID 83271

PROOF DUE NOTICE

RE: PERMIT NO. 41-07059

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 June 1, 1993. (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 complete 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.

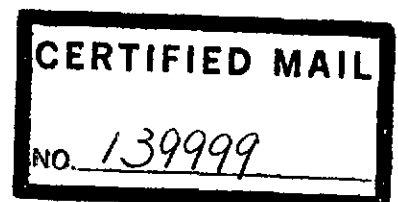
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

RECEIVED
MAY 21 1993



S T A T E O F I D A H O

DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
May 18, 1990

JAMES ROBINSON
P.O. BOX 157
ROCKLAND, ID 83271

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 41-07059

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

Be sure to note the special condition requiring you to install a lockable device that will provide the watermaster control on your diversion.

Please note the 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 a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

MICROFILMED

MAY 30 1990



Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

RECEIVED

MAY 30 1990

MEMORANDUM

TO: JIM, GARY AND FILE 41-7059

FROM: KAY WALKER

RE: STATUS

DATE: 1-MAY-1990

=====

I found this application in our "hold" drawer and see that we are holding it pending a decision on Minimum Streamflow No. 41-7046. I looked at file 41-7046 and found that it has been approved. What steps do we need to take now to prepare this application for final action?

Kay, this application can be processed.

Add Condition, This right when combined with the rights of Bench Ditch shall not exceed the total diversion rate of Bench Ditch water rights.

MICROFILMED

MAY 30 1990

FROM

Ray Walker
TO File 41-7059

SUBJECT

App. Status

Hold for
processing after
R&R are
initiatedJim
6-30-86

DATE

6-19-85

MICROFILMED

MAY 30 1990

Even though this app. was ~~dismissed~~,
 in 4th release from Swan Falls
 suit, we need to hold it pending
 The minimum stream flow
 apps. 41-7046 & 41-7074 — App. 41-7046
 has earlier priority than this app.

SIGNATURE

RECEIVED

INTER-DEPARTMENT MEMO — 1

MAY 3 1983

FROM Loten Holmes

Department of Water Resources

DATE 4/28/83.

TO Dave Tutthill

No response req'd DWR
5/4/83

SUBJECT APP 41-7059, James Robinson

Mr. Robinson called about the application of your letter of 9/17/82.

He indicated that his intent was to irrigate additional land with the same amount of water from the Bench Ditch.

The App is on hold now due to Sumer Falls, but if a permit is issued, it should be conditioned to authorize no additional diversion of water into the Bench Ditch.

LH.

SIGNATURE

September 17, 1982

Mr. James Robinson
Box 157
Rockland, Idaho 83271

RE: Application For Permit No. 41-7059, East Fork Rock Creek

Dear Mr. Robinson:

This office has completed a preliminary review of the above-referenced Application For Permit. As you may be aware, there is currently pending on the East Fork of Rock Creek an Application For Permit to establish a minimum stream flow on the reach where Bench Ditch diverts. The outcome of the minimum flow application may have a significant impact on the availability of water for your proposed irrigation of 37.5 additional acres. Therefore, a decision on your application will be delayed pending resolution of the minimum flow application.

Please be advised that if the Department does determine that water is available for diversion in excess of the minimum flow which may be established, then you will be able to irrigate the 37.5 acres under this water right only when all other prior water rights on East Fork Rock Creek and Rock Creek downstream of the Bench Ditch are fully satisfied. The 1982 water right that you have applied for would thus be determined a "high water right" or "flood right" even though the rate of flow that you anticipate diverting will not exceed your existing decreed water rights. I point out this consideration now because you may wish to consider an alternate source to provide water for the 37.5 acres during the summer months. One possible alternate source is non-tributary groundwater.

Please contact this office if you have questions about the status of this application.

Sincerely,

DAVID R. TUTHILL, JR., P. E.
Supervisor, Water Allocation Section

DRT:jg

cc: Southern Regional Office

MICROFILMED

MAY 30 1980



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

July 21, 1982

Shirley Byington
Watermaster District 41
Rock Creek
Rockland, Idaho 83271

Re: Application for Permit No. 41-7059

Dear Mr. Byington:

Enclosed is a copy of the above referenced application for permit
for your information and files.

Sincerely,

Mary A. Hill
Secretary

for

Loren O. Holmes
Southern Region Supervisor

Encl:

MICROFILMED

MAY 30 1990

Affidavit of Publication

STATE OF IDAHO

COUNTY OF POWER

} s.s.

.....Brett Crompton..... being first duly sworn
on oath, states:

That he..... is the Editor.....
of the Power County Press, a newspaper of general circulation
in Power County, Idaho, published weekly at American Falls
in said County; that said newspaper has been published in said
County uninterruptedly and continuously for over seventy-
eight consecutive weeks, prior to the first publication of the
annexed notice or advertisement:

That the annexed notice or advertisement was published as
per clipping attached in the regular and entire edition of said

newspaper and not in any supplement thereof for 2.....
successive weekly issues thereof, the date of the first publica-

tion being the 7..... day of July....., 19⁸²

the date of last publication being the

.....11..... day of July....., 19⁸²

(Signed)

Brett Crompton

Subscribed and sworn to before me this

.....11..... day of July....., 19⁸²

.....*Lois Foster*.....
Notary Public, residing at American Falls,
Idaho.

My Commission expires the

.....*Alfred*..... day of 19.....

(SEAL)

41-7059

ROBINSON, JAMES
BOX 157, ROCKLAND, ID 83271
Source: ROCK CREEK, EAST
FORK tributary to ROCK CREEK
Date Filed: 06/16/1982
Amount: 0.30 CFS
Diversion Point: NWSE Sec 11 T
10S R 31E SESW Sec 32 T 09S R
31E (REDIVERSION), POWER
Co.
Use: IRRIGATION (0.30 CFS)
from 03/01 to 11/30
Place of Use: SESW SWSE Sec 32 T
09S R 31E FOR 37.5 ACRES
Diversion Means: PUMP,
SPRINKLER, HEADGATE,
DITCH TO POND

If issued, the permit(s) will be sub-
ject to all prior water rights. Protests
against the granting of any permit
must be filed with the Director of the
Idaho Department of Water
Resources, 1041 Blue Lakes Blvd.
North, Twin Falls, Idaho 83301 and
received on or before JULY 26,
1982.

A. KENNETH DUNN
Director

RECEIVED MICROFILMED

MAY 30 1990

JUL 10 1982

Department of Water Resources
Southern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

JUNE 29, 1982

Power County Press
174 Idaho Street
American Falls, ID 83211

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 JULY 26, 1982.

Yours truly,

Mary R. Hill
Secretary

Encl.

RECEIVED
MAY 30 1982

NOTICE APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

41-2059

ROBINSON, JAMES

BOX 157, ROCKLAND, ID 83271

Source: ROCK CREEK, EAST FORK tributary to ROCK CREEK

Date Filed: 06/16/1982

Amount: 0.30 CFS

Diversion Point: NWSE Sec 11 T 10S R 31E SESW
Sec 32 T 09S R 31E (REDIVERSION), POWER Co.

Use: IRRIGATION (0.30 CFS) from 03/01 to 11/30

Place of Use: SESW SWSE Sec 32 T 09S R 31E FOR ~~XXXXXXX~~ 37.5 ACRES

Diversion Means: PUMP, SPRINKLER, HEADGATE, DITCH TO POND

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before JULY 26, 1982.

A. KENNETH DUNN

Director

Published 7/8 & 7/15/82.

7/7 & 7/14/82

MICHAEL DUNN

MAY 26 1990