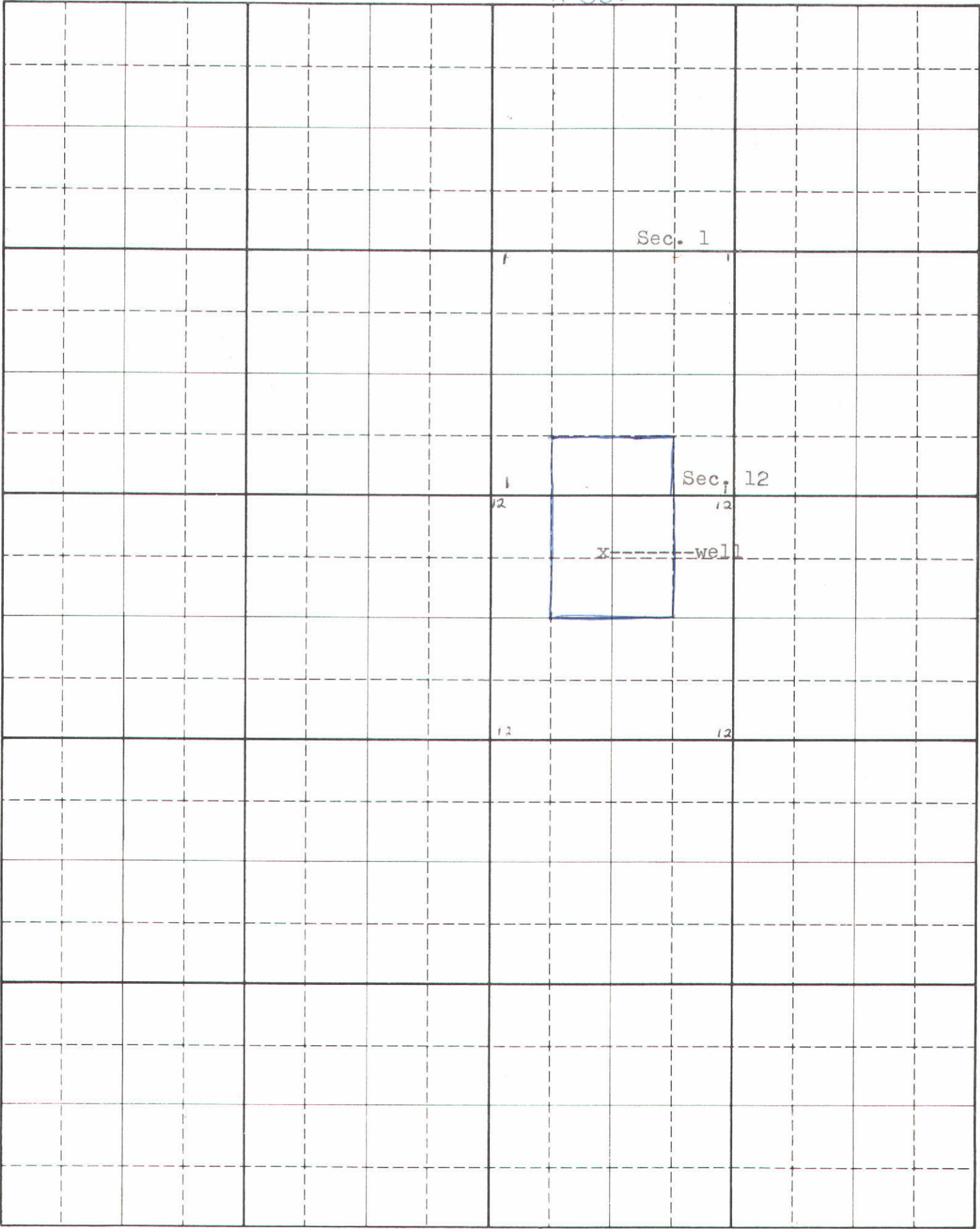


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

R 30E



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.

Don Benson
(Applicant)

Affidavit of Publication

STATE OF IDAHO
COUNTY OF POWER } S.S.

.....Phyllis Ringe..... being first duly sworn
on oath, states:

That she..... is the principal clerk of..... the printer
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 6th..... day of January....., 19.... 77
the date of last publication being the
13th..... day of January....., 19.... 77

(Signed).....*Phyllis Ringe*.....

Subscribed and sworn to before me this

.....13th..... day of January....., 19.... 77

.....*Rose Ann Frank*.....
Notary Public, residing at American Falls,
Idaho.

My Commission expires the

(SEAL) day of 19.....

Residing in American Falls, Idaho
My Commission is for Life

RECEIVED

JAN 14 1977

Department of Water Resources
Southern District Office

Legal Notice

Published in the Power County
Press on January 6 and
January 13, 1977.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that
Don Benson, Rockland, Idaho
83271 has on 12/27/76
submitted Application No.
41-7026 for a permit to
appropriate 2.0 cubic feet per
second of water from ground
water by means of well,
125 H.P. motor, pump, 8"
mainline and 4" laterals with
sprinklers with Badger meter
within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec.
12, Twp. 10S, Rge. 30 E.,
B.M., Power County to be
used from April 1 to October
15 for irrigation of 240 acres
within the W $\frac{1}{2}$ NE $\frac{1}{4}$,
E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 12;
SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec.
1, Twp. 10S, Rge. 30 E., B.M.
Power County.

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 Depart-
ment of Water Resources,
1041 Blue Lakes Blvd., North,
Twin Falls, Idaho, 83301 on or
before January 24, 1977.

R. Keith Higginson
Director

ok
1/14/77
SB

RECEIVED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 41-7026 Priority December 27, 1976 Amount 1.38 cfs

THIS IS TO CERTIFY, that DON BENSON
of Rockland, Idaho, has complied with the terms and conditions of Permit
No. 41-7026 issued pursuant to Application for Permit dated December 27, 1976,
and has submitted proof to the Department of Water Resources on October 11, 1977,
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 1.38 cfs of water from a groundwater 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>Irrigation</u>	from <u>April 1</u> to <u>October 15</u> at <u>1.38</u> cfs and <u>541</u> acre feet		
	from _____ to _____ at _____ cfs and _____		
	from _____ to _____ at _____ cfs and _____		

(both dates inclusive)

Subject, however, to the condition that no more than 1.38 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
542 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12, Twp. 10S,
Rge. 30E, B.M. in the County of _____ Power _____

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 $\frac{1}{4}$	
10S	30E	12		39	40		39			40									158
		1												39				39	78

Total number of acres irrigated 236

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 23 day of

July _____, 19 80.

Director

Stephen Alvel

MICROFILMED

RECEIVED

DEC 19 1976

Department of Water Resources
District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

APPROVED

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

Identification No. _____

Application No. 41-7026

1. Name of applicant Don Benson Phone: 548-2330
post office address Rockland, Idaho 83271

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

3. a. Location of point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 12 Township 10 S
Range 30 E. B.M. Power County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into Rock Creek at a point in NE $\frac{1}{4}$
of NW $\frac{1}{4}$ of Section 12 Township 10 S Range 30 E. B.M. _____

4. Water will be used for the following purposes:

Amount 2.0 for irrigation purpose from April 1 to October 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 2.0 cubic feet per second and/or
b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well, 125 H.P. motor, pump,
8" mainline and 4" laterals with sprinklers with Badger meter

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 _____ to _____ inclusive.
(Mo. Day) (Mo. Day)

c. Proposed well diameter is 20 inches; proposed depth of well is 1100 feet.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 1 years.

b. Estimated construction cost is \$ 30,000.00.

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: 2 hp under 45 feet of head. mls per letter attached

(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 mls per letter attached

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

[illegible]

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

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

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. Don Benson

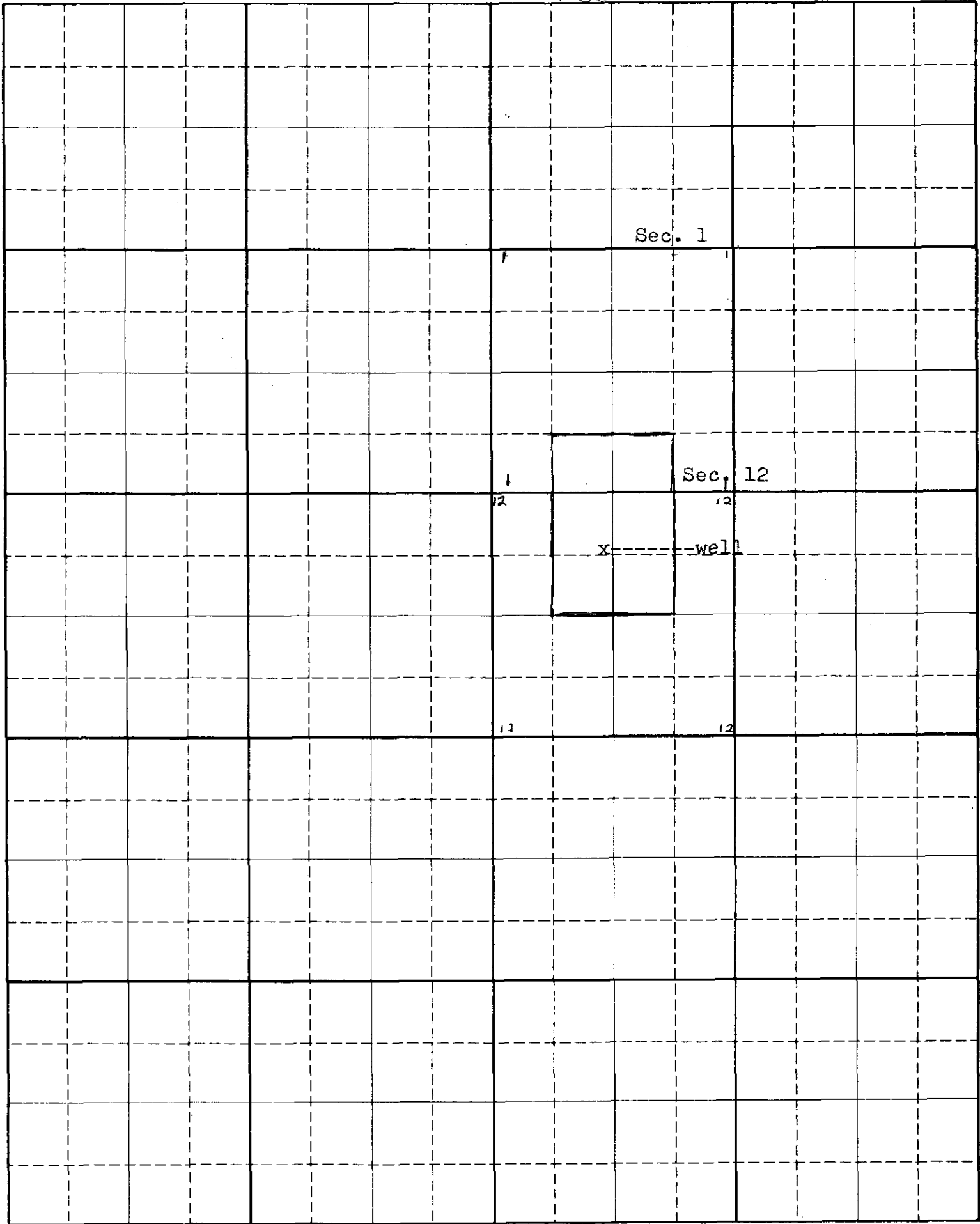
b. Who owns the land to be irrigated or place of use Don Benson

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 Irrigation practice utilizes field rotation according to crop. Application involves the same well described in Permit #41-7003 for which applicant inadvertently missed Proof of Completion papers.

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

R 30E



T
16
S

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.

Don Benson
(Applicant)

Proposed Priority 12-27-76

RECEIVED

DEC 27 1976

Department of Water Resources
Southern District Office

12-27-76 2:00 pm
12-08-76 10:50 A.

Received by LM Date 12/6/76 Time 8:30

Preliminary check by LM Fee \$ 35.00 # 2277

Received by LM Date 12-28-76

Publication prepared by SB Date 12-28-76

Published in Power County Press

Publication dates 1-6-77 & 1-13-77

Publication approved LM Date 12-28-76

Priority reduced to LM Reason LM

Protests filed by: LM

Copies of protests forwarded by LM

Hearing held by LM Date 12-28-76

Recommended for approval denial by mls

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 41-7026, 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 February 1, 19 78.

c. Other: A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.

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

Witness my hand this 3 day of January, 19 77.

[Signature]
Director

Affidavit of Publication

STATE OF IDAHO }
COUNTY OF POWER } S.S.

RECEIVED

JAN 14 1977

Department of Water Resources
Southern District Office

Phyllis Ringe being first duly sworn
on oath, states:

That she is the principal clerk of the printer 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 publication being the 6th day of January, 1977
the date of last publication being the 13th day of January, 1977

(Signed)

Subscribed and sworn to before me this

13th day of January, 1977

Notary Public, residing at American Falls, Idaho.

My Commission expires the

(SEAL) day of , 19

Published in the Power County Press on January 6 and January 13, 1977.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Don Benson, Rockland, Idaho 83271 has on 12/27/76 submitted Application No. 41-7026 for a permit to appropriate 2.0 cubic feet per second of water from ground water by means of well, 125 H.P. motor, pump, 8" mainline and 4" laterals with sprinklers with Badger meter within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12, Twp. 10S, Rge. 30 E., B.M., Power County to be used from April 1 to October 15 for irrigation of 240 acres within the W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12; SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 1, Twp. 10S, Rge. 30 E., B.M. Power County.

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 Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before January 24, 1977.

ok
1/14/77
SB



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

July 25, 1980

Don Benson
Rockland,
Idaho 83271

Dear Mr. Benson,

RE: License No. 41-7026

Enclosed is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

A handwritten signature in cursive script that reads "Jan Grover".

JAN GROVER
Water Rights Supervisor

JG:mr
Enclosure

RECEIVED
JUL 26 1980
WATER RESOURCES



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

June 11, 1980

Don Benson
Rockland,
Idaho 83271

Dear Mr. Benson,

A representative of this Department has made an examination of the works covered by your Permit No. 41-7026, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 1.38 cfs Source: groundwater

The maximum quantity diverted shall not exceed 542.0 acre feet
per year.

Point(s) of diversion: NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12, Twp. 10S, Rge. 30E, B.M.

Beneficial use: Irrigation of 158 acres within the W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 12, and
78 acres within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 1, Twp. 10S, Rge. 30E.

Priority date established: December 27, 1976.

Conditions (if any): A measuring device of a type approved by this Department
shall be maintained as a part of the diverting works.

If you do not concur with these findings please contact us within 10 days,
otherwise a water license will be issued as set forth above.

Sincerely,

JAN GROVER
Water Rights Supervisor

RECEIVED
JUN 11 1980
WATER RIGHTS

M. V. KLINGLER, M.D.
P. O. BOX 237
GOODING, IDAHO 83330

June 1, 1980

State of Idaho
Department of Water Resources
Western Region
92 South Cole Road
Boise, Idaho, 83705

Attention: MsKay Walker

Re: Application for Permit
63-8795

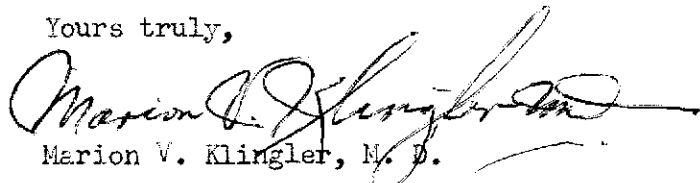
On October 3, 1979, an inspection was made by two individuals from your office for final Application for permit No. 63-8795 for Proof of Application of Water to Beneficial Use.

As of the above date, the Little Smoky Water Users Association has heard nothing as to the acceptance or rejection of this permit.

The inspector - whose name I do not recall - Bob Fleener? - stated that he believed there was an error in the legal description or in the location of one of the five springs, and he made the correction at the time of his inspection. He also stated that possibly it might be as long as 4 - 6 months before we heard from the application as to its disposal.

It is now eight months since this inspection, and the water users would like to know what disposition was made of this permit. Also the inspector stated there would be an additional charge made for the clerical work in making the corrections /and or/ that were mentioned above, but that we would be billed separately for this. No statement of charges has been sent me as president of the Little Smokey Water Users association as of this date.

Yours truly,


Marion V. Klingler, M. D.

Per telecon w/PA KLINGLER he wanted
R+ No - 63-7242 instead of ~~under~~
the above.

June 6/10/80

RECEIVED

JUN 3 1980

Department of Water Resources
Western Regional Office

MICROFILMED

SECRET
SOUTHERN BUREAU OFFICE

LIB 22 OCT

Phone 548-2330
Phone

3. Water will be used for the following purposes:

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 2.00 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____
County _____

Other Points of Diversions: _____

Description of diverting works: well, 125 hp motor, pump 8" mainline and 4" laterals with sprinklers with Badger Meter. 20" dia. well, 1100' deep, 20" casing

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

[illegible]

240

MICROFILMED

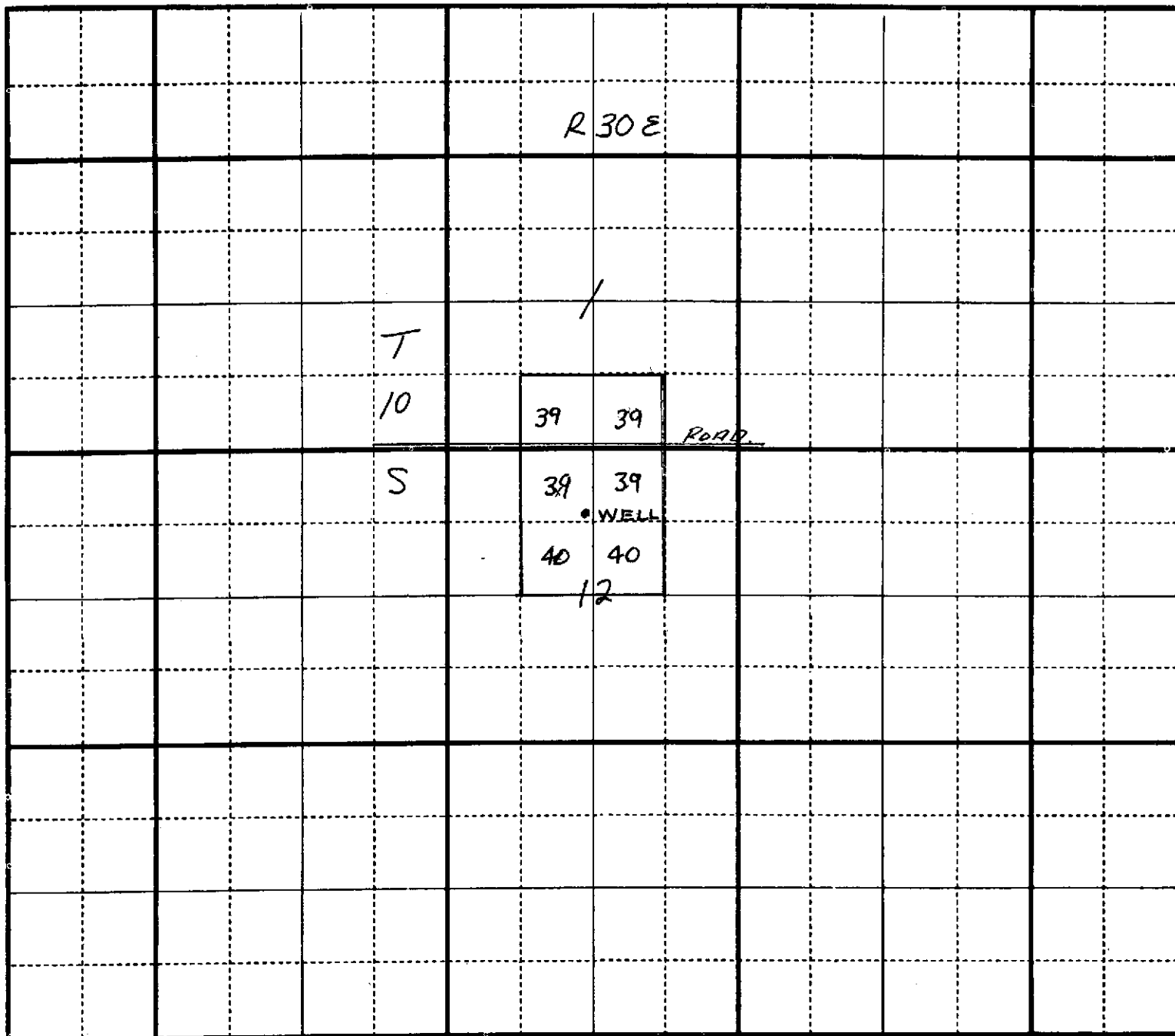
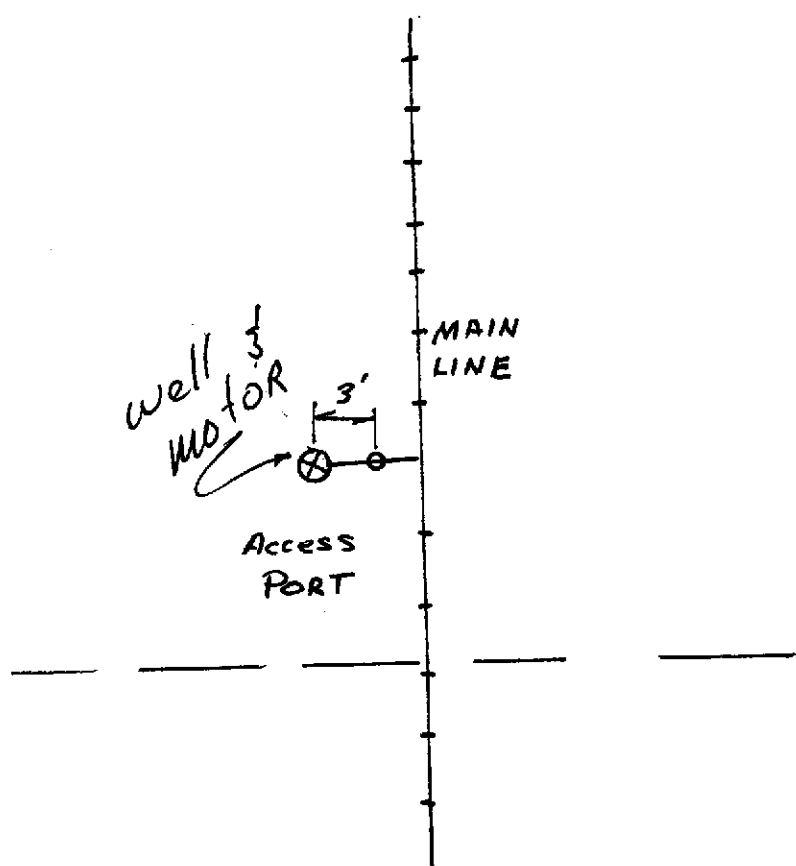


Diagram of System



DATE OF EXAM _____

ACREAGE
Found 236
Recommended 236

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = 1.38 c.f.s. V = 541.0 AF/Ann. from April 1 to Oct 15
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

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

Exchange? yes _____ no ☒

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

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

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

Total Q measured 1.38 CFS. Method of measurement ANN-U-BAR

Total Q recommended 1.38 CFS. Meter No. 65802 Type 7.98" Condition NEW

Total V recommended 541.0² ACFT/ANN

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ☒

MEASUREMENT CALCULATION:

MEASURED 7.0" PRESSURE = 1.45 CFS ALLOWED CORRECTION 0.6"
VOLUME 541.0² ACFT/ANN (1.98 ACFT/AC) (198 days) 6.4" = 1.38 C.F.S.
Meter Reading 7.0

SYSTEM DESCRIPTION:

U.S. MOTOR 100HP. SERIAL # 95278 VERTICAL PUMP # 7020045
(4) WHEEL LINES 1/4 MILE EACH (32) HEADS/LINE 5/64 NO 33e/s.
HAY WAS THE CROP THIS YEAR

REMARKS:

DON BENSON WAS PRESENT DURING THE FIELD EXAM

Examiner's Signature Dan Lundberg Date 1/10/80

Checked by Allen M. Mitt Date 6/4/80

Approved by _____ Date _____

October 25, 1977

Re: Permit No. 41-7026

Don Benson
Rockland, Idaho
83271

Dear Mr. Benson:

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 during which part of the irrigation season this exam will be made, but our examiner will try to contact you at the time he makes the exam so that you may show him the system.

If you have any questions regarding the field exam, please contact our Regional Office in Twin Falls.

In regards to the comments made in the remarks section on this proof affidavit the earliest priority that can be established under this permit is the date the application was filed which was December 27, 1976.

Sincerely,

BOBBY D. EEEENOR
Chief, Operations Bureau

BDF:JFR

cc: John B. Kugler
1156 East Center, Box 1392
Pocatello, ID 83201

RECEIVED
OCT 27 1977

LAW OFFICES

JOHN B. KUGLER

RECEIVED

OCT 11 1977

1156 East Center, Box 1392
POCATELLO, IDAHO 83201
208/233-6234

Department of Water Resources
Southern District Office

October 6, 1977

XXXXXXXXXX
XXXXXXXXXX

216 Idaho Street
American Falls, Idaho 83211
208/226-5241

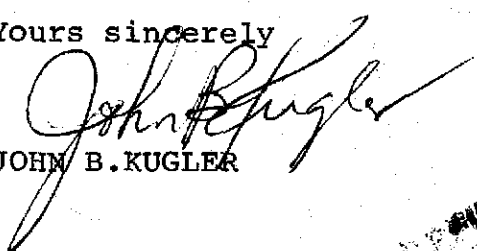
Mr. Michael L. Steele
Southern Region Supervisor
Department of Water Resources
1041 Blue Lakes Boulevard
Twin Falls, Idaho 83301

Dear Mike:

Enclosed is proof of Application of Water on a filing of Don Benson. This involved a well drilled in 1967 and thereafter Mr. Benson misplaced proof papers. Accordingly, I filed a new application for him and after submitting the same when the well driller log was submitted to me as part of this proof, I ascertained that they were watering in early 1967 and therefor the notation in the remark section.

Please process the proof and return the final grant to my office.

Yours sincerely


JOHN B. KUGLER

JBK:cs
Enc.

RECEIVED
OCT 11 1977

RECEIVED

OCT 11 1977

Department of Water Resources
Southern District Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Identification No. _____

Permit No. 41-7026

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Don Benson
b) Post Office Address Rockland, Idaho 83271
2. Permit Number 41-7026
3. Date of Priority that you are prepared to establish _____
4. a) Source from which water was appropriated Ground water
b) Location of the point of diversion: NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 12
Township 10S, Range 30 E. Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
Amount 2.0 for irrigation purposes from April 1 to October 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)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 2.0 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: Paul Vollmer, Jr., experienced driller and consultant.
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) well, 125 H.P. motor, pump, 8" mainline and 4" laterals with sprinklers with Badger meter. Well diameter is 20 inches, depth is 1100 feet, 20" casing.
b) Describe the type and size of measuring device which you have installed at your point of diversion: Rockwell Meter
c) Give well driller's name and address and the date the well was completed: Paul Vollmer, Jr., Aberdeen, Idaho November 1967
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: _____

Exam typed

10/25/77 by J

February 2, 1977

Re: Permit No. 41-7026

Don Benson
Rockland, ID 83271

Dear Mr. Benson:

Enclosed is a copy of your approved Application for Permit No. 41-7026. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

Enclosure: Copy of permit

RECEIVED
FEB 10 1977
WATER RIGHTS DIVISION
IDAHO DEPARTMENT OF AGRICULTURE

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 41-7026 - Don Benson

☒ 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

(1) TGB 12-28-76

In form to receipt

(2) _____

Send Copies to:

Idaho State Health Department

Idaho Fish and Game Department

Bureau of Land Management

(3) _____

Request Special Use Permit from U.S.F.S.

Request Easement from B.L.M.

Request Information from Applicant

(4) mls 12-28-76

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) mls 1-24-77

Critical groundwater area: yes _____ no ☒

(8) mls 1-24-77

Groundwater levels:

_____ Declining, ☒ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) mls 1-24-77

Affidavit of Publication received(date) 1-14-77

(12) mls 1-24-77

Final date for protests January 24, 1977

Protests received: yes _____ no ☒

(13) _____

All requested information received from agencies or
applicant: yes _____ no _____

(14) mls 1-24-77

Action recommended:

☒ Approve _____ Deny

_____ Proposed Priority

_____ Reason for Reduction

☒ Measuring device required

_____ See attached sheet for other conditions of
approval

_____ No special conditions for approval

(15) District Southern

By Michael Stuck Date 1-24-77

Copy sent to Boise 12-29-76 141

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Don Benson

Rockland, Idaho 83271

has on 12/27/76 submitted Application No. 41-7026

for a permit to appropriate 2.0 cubic feet per second ~~xxxxxx~~

of water from ground water

by means of well, 125 H.P. motor, pump, 8" mainline and 4" laterals with
sprinklers with Badger meter

within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12, Twp. 10S, Rge. 30 E., B.M., Power County

to be used from April 1 to October 15

for irrigation of 240 acres

within the W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 12; SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 1, Twp. 10S, Rge. 30E, B.M.,
Power County

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 Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before January 24, 1977.

R. KEITH HIGGINSON

Director

Published in the Power County Press

on January 6 and January 13, 1977

RECEIVED

JAN 8 1977

Department of Water
Southern District

Published in the Power
County Press January 6 and
13, 1977.

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that
Don Benson Rockland, Idaho
83271 has on 12/27/76 sub-
mitted Application No.
41-7026 for a permit to appro-
priate 2.0 cubic feet per
second of water from ground
water by means of well, 125
H.P. motor, pump, 8" main-
line and 4" laterals with
sprinklers with Badger meter
within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec.
12, Twp. 10S, Rge. 30 E.,
B.M., Power County to be
used from April 1 to October
15 for irrigation of 240 acres
within the W $\frac{1}{2}$ NE $\frac{1}{4}$,
E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 12; SE $\frac{1}{4}$ -
SW $\frac{1}{2}$, SW $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 1,
Twp. 10S, Rge. 30E, B.M.,
Power County.

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 Depart-
ment of Water Resources,
1041 Blue Lakes Blvd., North,
Twin Falls, Idaho, 83301 on or
before January 24, 1977.

R. KEITH HIGGINSON
Director

1/6/77
Telephone
Conr.
Phyllis said
it was conr.
on their copy.
We passed
it off to
the
officer

December 28, 1976

Power County Press
174 Idaho Street
American Falls, Idaho 83211

RE: Application for Permit no. 41-7026 - Don Benson

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.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Michael L. Steele

MLS/sb

Bill submitted: _____

December 28, 1976

Mr. John Kugler
P. O. Box 386
American Falls, Idaho 83211

Re: Application for Permit No. 41-7026 - Don Benson

Dear Mr. Kugler:

Enclosed is your Receipt No. 2277 for Check No. 92-141 (#147) in the amount of \$35.00 for the above referenced application for permit which was received in this office December 27, 1976.

Sincerely,

Laura Madron
Secretary

Enclosure

LAW OFFICES

JOHN B. KUGLER

RECEIVED

DEC 27 1976

1156 East Center, Box 1392
POCATELLO, IDAHO 83201
208/233-6234

Department of Water Resources
Southern District Office

~~XXXXXXXXXX~~
~~XXXXXXXXXX~~

216 Idaho Street
American Falls, Idaho 83211
208/226-5241

December 23, 1976

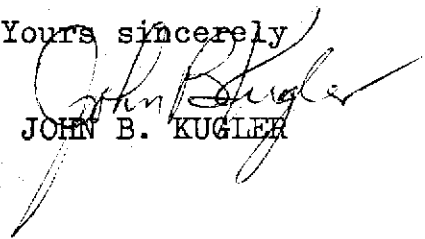
Mr. Terry G. Blau
Department of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301

Dear Mr. Blau:

Enclosed herewith is the Application for appropriation for water submitted by myself on behalf of Don Benson. He has completed the Affidavit to establish residence which you enclosed and I am frankly wondering where under the statute it requires an individual to be a resident of the State in order to apply for a water appropriation permit. Since he is a resident, however, I deemed that irrelevant.

The application is for the appropriation of irrigation water only and no water is appropriated for domestic use or power production and the same has been intentionally omitted from Section 4. Kindly process the application.

Yours sincerely


JOHN B. KUGLER

JBK:cs
Enc.

INTER-DEPARTMENT MEMO — 1

RECEIVED

FROM

Colleen

DATE December 9, 1976

TO

Southern

DEC 13 1976

Department of Water Resources
Southern District Office

SUBJECT

Attached Application

Attached is check No. 92-141 in the amount of \$35.00 and application for permit in the name of Don Benson, which appears to be in your region.



SIGNATURE

RECEIVED

December 14, 1976

Mr. John Kugler
P. O. Box 386
American Falls, Idaho 83211

Dear Mr. Kugler:

In reviewing the application submitted by you for Don Benson of Rockland, Idaho, I found that there has been some information omitted that will be necessary before we can begin processing. Under Section 4, you must also list domestic use and power production as a use and also show a time period for these uses as well as the amount appropriated for each use. It will also be necessary for the applicant to fill out the enclosed Affidavit to Establish Residence which is necessary for all applications for power production. I am returning the application, check, and affidavit form for these additions.

If you have any questions, please feel free to contact me.

Sincerely,

Terry G. Blau
Senior Water Resource Agent

TGB:lm

Enclosures

RECEIVED
DEC 17 1976
WATER RESOURCES
DIVISION

LAW OFFICES

JOHN B. KUGLER

RECEIVED

DEC 13 1976

Department of Water Resources
Southern District Office

RECEIVED

DEC 6 1976

Department of Water Resources

~~RECEIVED~~
~~RECEIVED~~

216 Idaho Street
American Falls, Idaho 83211
208/226-5241

1156 East Center, Box 1392
POCATELLO, IDAHO 83201
208/233-6234

December 2, 1976

Idaho Department of Water Resources
Statehouse - Annex 2
Boise, Idaho 83707

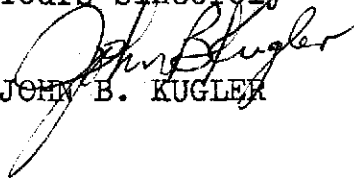
Re: Don Benson

Gentlemen:

Enclosed please find an original Application for Permit to appropriate underground waters. Accompanying the application is my check in the sum of \$35.00 as filing fee.

At the time that the permit is issued, would you please forward it to me together with any and all subsequent notices with respect to the application.

Yours sincerely


JOHN B. KUGLER

JBK:cs
Enc.