

No 285

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Washington } ss.

Dorothy A. Booth, being duly sworn,
deposes and says:

That he is the Clerk of
THE WEISER SIGNAL, a weekly newspaper published at
Weiser, in the County of Washington and State of Idaho; that
said paper has been and is in general circulation in the
county aforesaid, and in the vicinity of Weiser; that the ad-
vertisement, a copy of which is attached hereto, was pub-
lished in said newspaper once a week for 2 consecu-
tive weeks in the regular and entire issue of said paper dur-
ing the period and time of publication, and was published in
the newspaper proper and not in a supplement; that said
paper has been established and regularly published for more
than seventy-eight consecutive weeks prior to the date of
first publication of said advertisement.

Such notice was published in the issue beginning with
11-6-, 1969, and ending
with the issue of 11-13-, 1969

Dorothy Booth
Fees, \$ 10.50

Subscribed and sworn to before me this 24
day of Nov., 1969

Dorothy Booth
Notary Public, Residing at Weiser, Idaho.

My Commission Expires 5-1, 1973

No. 285 NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Jay B. Bennion, Route 3, Weiser, Idaho has received an approved permit No. G-31937 issued by the Idaho State Reclamation Department authorizing the diversion of 8 cubic feet per second of water from a ground water source, subject to all prior rights. The priority to be established under this permit is June 10, 1964 and the permit was approved June 12, 1969. Water is to be diverted by well from a point within the SW¹/₄SW¹/₄, Sec. 10, T. 10 N., R. 5 W., B.M., Washington County to be used for irrigation, stockwater, and domestic purposes in the SW¹/₄SW¹/₄, Sec. 10, T. 10 N., R. 5 W., B. M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before June 12, 1969. Any protest against the issuance of a license for the above referenced permit should be filed with the Department of Reclamation within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

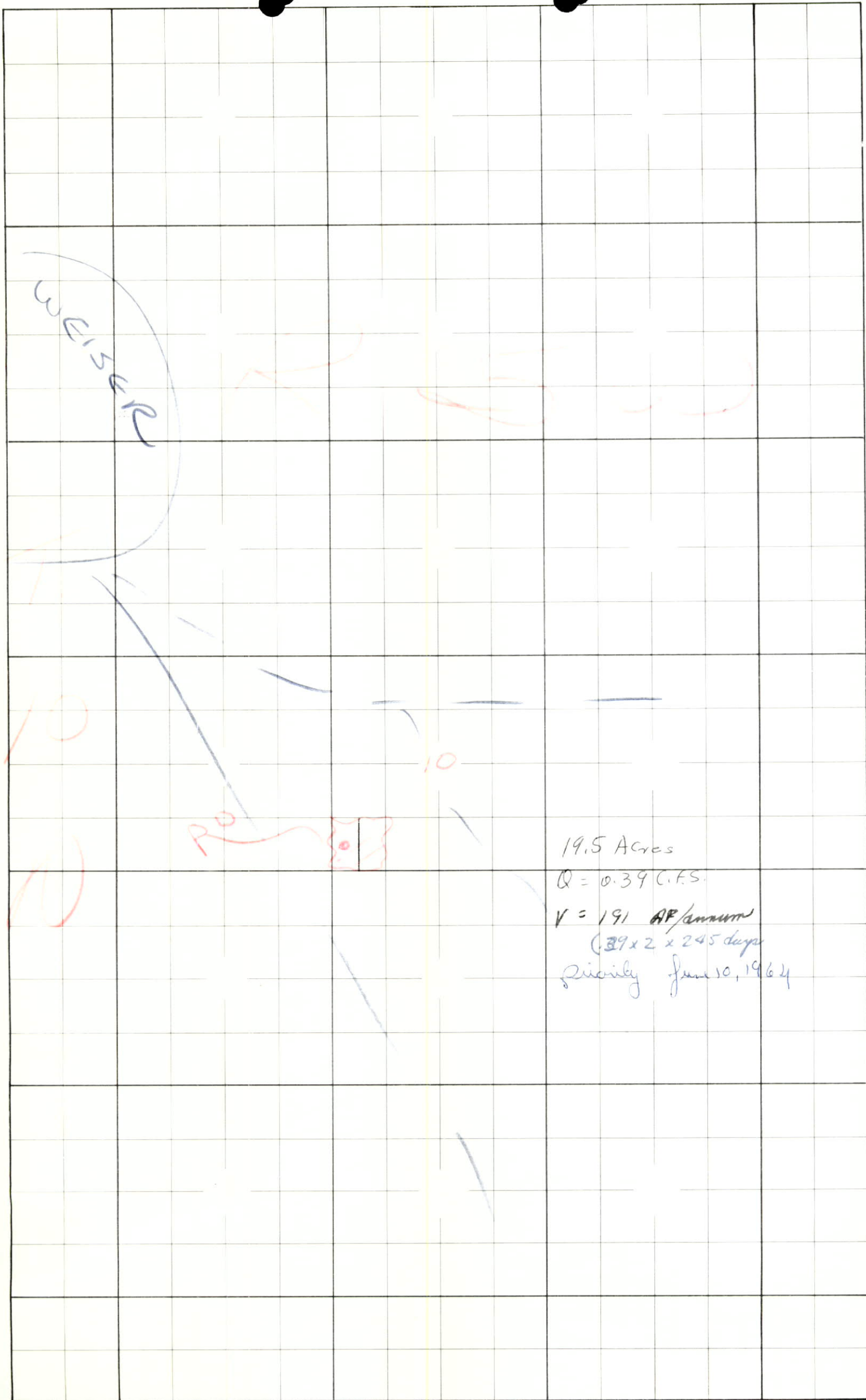
R. KEITH HIGGINSON
State Reclamation Engineer
Published in the Weiser Signal,
Weiser, Idaho on November 8 and
November 13, 1969.

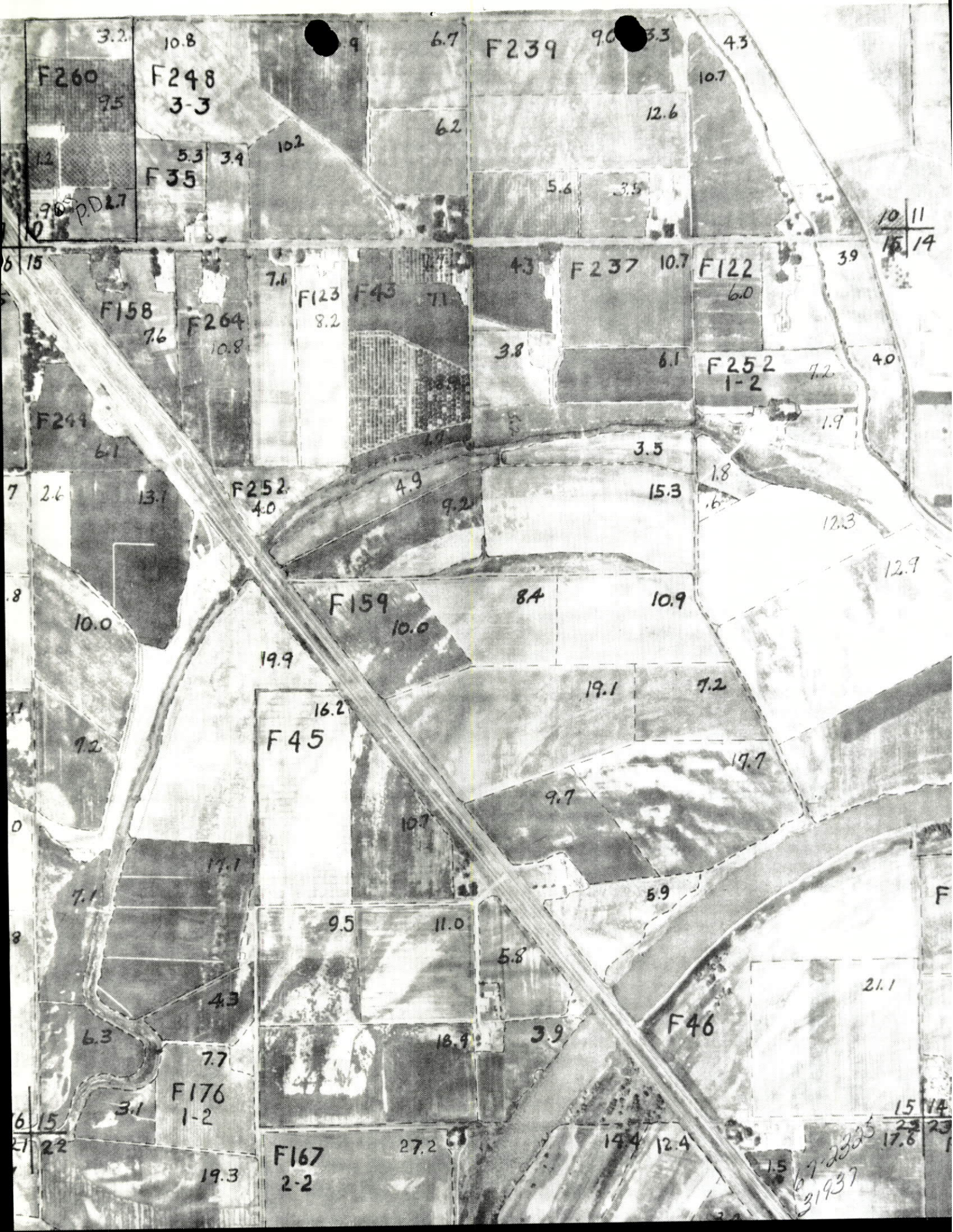
RECEIVED

DEC 23 1969

Department of Reclamation

67-2325
31937





October 28, 1969

Re: Permit No. G-31937 - Jay B. Bennion

Weiser Signal American
P. O. Box 709
Weiser, Idaho 83672

Gentlemen:

Enclosed is a legal notice which we wish to have published 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 our 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 date. If you cannot publish the notice on the proposed dates, please contact the Department of Reclamation immediately.

The expense of the publication is to be paid by Jay B. Bennion,

Route #3, Weiser, Idaho
to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:JMB

Enc. Legal Notice (1)

No. 285
NOTICE OF EXISTING WATER
PERMIT

Notice is hereby given that Jay B. Bennion, Route 3, Weiser, Idaho has received an approved permit No. G-31937 issued by the Idaho State Reclamation Department authorizing the diversion of 8 cubic feet per second of water from a ground water source, subject to all prior rights. The priority to be established under this permit is June 10, 1964 and the permit was approved June 12, 1969. Water is to be diverted by well from a point within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 10, T. 10 N., R. 5 W., B.M., Washington County to be used for irrigation, stockwater, and domestic purposes in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 10, T. 10 N., R. 5 W., B. M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before June 12, 1969. Any protest against the issuance of a license for the above referenced permit should be filed with the Department of Reclamation within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON
State Reclamation Engineer
Published in the Weiser Signal,
Weiser, Idaho on November 6 and
November 13, 1969.

31937

67-2325

NAME OF APPLICANT JAY B. BENNION

Form No. 0

Sec. 10

*Well

TION RSW

Permit Map No. 2-31937
As Approved
CARL E. TAPPAN JUN 12 1964
State Reclamation Engineer

WATER LICENSE

Water License No. G-31937/67-2325 Priority June 10, 1964 Amount 0.39 c.f.s.

THIS IS TO CERTIFY, that JAY B. BENNION of Weiser, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated June 10, 1964; that Permit G-31937/67-2325 was issued pursuant to said application; that the proposed works were completed on or about May 9, 1969 with a storage/or carrying capacity of 0.77 c.f.s., said works consisting of well, pump, motor, and ditch; and that on May 12, 1969 proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 191 acre feet per season, with a maximum rate of diversion of 0.39 cubic feet per second of the waters of ground water, tributary of _____, for the purpose of irrigation from April 1 to October 31; and for stockwater from January 1 to December 31; and for domestic from January 1 to December 31; and that the use of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is located in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 10, T. 10 N, R. 5 W, B.M., and other additional points _____, in the County of Washington; and that the amount of water to which such right is entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes and shall not exceed 191 acre feet per year.

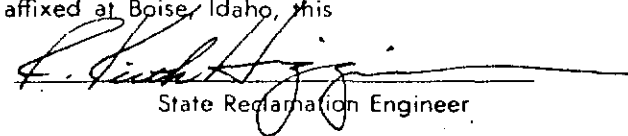
Description and location of place of use:

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 $\frac{1}{4}$	
10 N	5 W	10											19.5						19.5

Total number of acres irrigated 19.5

The right to the use of the water hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

7th day of July, 19 70.

 State Reclamation Engineer

 67 2325 31937
 17-2325

RECEIVED

MAY 19 1969

Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR AMENDMENT

Permit No. G-31937

Comes now Jay B. Bennion of (address) Route # 3,
Weiser, Idaho, and represents to the State Reclamation
Engineer of the State of Idaho:

No. _____, and requests that the permit and permit map be changed as follows:

1. Point of diversion: _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, Sec. _____, T. _____, R. _____, B.M. Other points of diversion _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

0.80 cfs For Irrigation purposes from April 1 to October 1 (both dates incl.)

.02 cfs For Stockwater purposes from January 1 to December 31 (both dates incl.)

.02 cfs For Domestic purposes from January 1 to December 31 (both dates incl.)

For purposes from to (both dates incl.)

3. Place of use or land to be irrigated:

[illegible]

Total number of acres to be irrigated

3,937

[illegible]

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

✓ Jay B. Benjamin
(signature)

1, R. KEITH HIGGINSON, State Reclamation Engineer of the State of Idaho,

Witness my hand this 22nd day of May, 1969

State Reclamation Engineer

APPLICATION FOR PERMIT 67-2325

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 40066
Permit No. G- 31937
District No.

1. Name of Applicant: Jay B. Bennion
Postoffice address: Rt. #3, Weiser County: Washington State: Idaho
2. Quantity of water claimed: 0.8 cubic foot per second
 (a) Rate of withdrawal in cubic feet per second or Idaho
 Miners' inches or gallons per minute
 (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the $\frac{1}{2}$ SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 10
 Twp. 10 N , Rge. 5 W , B.M., County of Washington
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
 Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
 at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Dug Well Concrete Lined
8. Estimated cost of works: \$ 1500.00
9. (a) Is reservoir to be used? No
 (b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
 (b) Amount of capital stock: \$ (c) Amount paid in: \$
 (d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash on hand: \$
 (b) Treasury stock: (c) Bonds to be issued:
 (d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: Payette R.
 - (a) 0.8 (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) (cubic feet per second, inches or gallons per minute) is for new lands.

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.

s/ Jay B. Bennion

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 8:00 A.M. June 10, 1964

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G- 31937

Recorded in Book 112 Page 31937 Approved June 12, 1964

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before _____ and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before **December 12, 1966**

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before **June 12, 1969**

Witness my hand this 12th day of June, 1964

s/ CARL E. TAPPAN

STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho,
and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 12th
day of June, 19 64.

Countersigned:

STATE OF IDAHO

(SEAL)-

By s/ ARNOLD WILLIAMS

By s/ ROBERT E. SMYLLIE

Governor

12.

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	
10 N	5 W	10									40 acres								40 acres
SEE amendment to uses in file																			
LICENSE ISSUED FOR <u>0.39</u> SEC. FT. ~~LICENSE PAGE NO.~~ <u> </u>																			

No 285

AFFIDAVIT OF PUBLICATION

RECEIVED

DEC 23 1969

Department of Reclamation

STATE OF IDAHO, } ss.
County of Washington }

Dorothy A. Booth, being duly sworn,

deposes and says:

That he is the Clerk of
THE WEISER SIGNAL, a weekly newspaper published at
Weiser, in the County of Washington and State of Idaho; that
said paper has been and is in general circulation in the
county aforesaid, and in the vicinity of Weiser; that the ad-
vertisement, a copy of which is attached hereto, was pub-

lished in said newspaper once a week for 2 consecu-
tive weeks in the regular and entire issue of said paper dur-
ing the period and time of publication, and was published in
the newspaper proper and not in a supplement; that said
paper has been established and regularly published for more
than seventy-eight consecutive weeks prior to the date of
first publication of said advertisement.

Such notice was published in the issue beginning with

11-6-, 1969, and ending
with the issue of 11-13-, 1969

Dorothy Booth

Fees, \$ 10.50

Subscribed and sworn to before me this 24

day of Nov., 1969

Donhee
Notary Public, Residing at Weiser, Idaho.

My Commission Expires 5-1, 1973

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Proof of the application of the water to beneficial use is to be submitted to the Department on or before June 12, 1969. Any protest against the issuance of a license for the above referenced permit should be filed with the Department of Reclamation within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON
State Reclamation Engineer
Published in the Weiser Signal,
Weiser, Idaho on November 6 and
November 13, 1969.

67-2325
31937

RECEIVED

MAY 12 1969

Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Identification No. _____

Permit No. G 31937

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder JAY B. BENNION

b) Post Office Address RT # 3 Weiser, Idaho

2. Permit Number G 31937

3. Date of Priority that you are prepared to establish June 10, 1964

4. a) Source from which water was appropriated Well (underground)

b) Location of the point of diversion: SW 1/4 SW 1/4, Section 10

Township 10N, Range 5W Boise Meridian, Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:

amount 0.8 CFS for irrigation purposes from MARCH 1st to NOV. 31st incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)

* amount 1000 GAL. Per Day for stock water purposes from JAN. 1st to DEC. 31st incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)

* amount 1000 GAL. Per Day for culinary use purposes from JAN. 1st to DEC. 31st incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)

b) Total amount appropriated _____ 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: _____

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) 5 H.P. motor 5" vertical Turbine pump. Well 8' diameter, cement cased, dug by hand.

b) Describe the type and size of measuring device which you have installed at your point of diversion: _____

Have a hand wheel valve on 5" discharge pipe. Flow can be regulated w/ valve

c) Give well drillers name and address and date the well was completed _____

Previous owner (Mr. Albert Schloske) (Dead)

Well completed 1948

* We have a smaller pump installed for stock & culinary water. This is a rough estimate of the maximum we would use. would like to have it incorporated in the water license.

EXAM
12-30-64
31937
JWB
W.D.

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use We use the same well for stock water & culinary use on the same property.

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: 11 1/2 - 12 1/2

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	
10N.	5W	10											20 Acres						20

Total number of acres irrigated 20

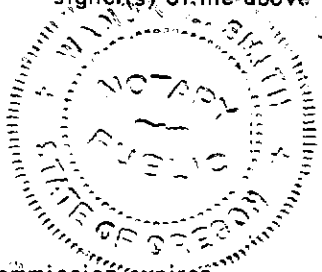
10. Remarks:

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

May 9, 1969 (Date) Jay B. Bennett (Signature)

State of Oregon)
County of Malheur) ss.

On this 9th day of May, 1969, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.



Wendy L. Smith
Notary Public residing at Ontario, Oregon
My commission expires May 28, 1972

My commission expires

WATER RIGHT NUMBER 67-2325

OWNER LAST NAME - BENNION

FIRST NAME - JAY B.

ORIG OWNER -

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - WEISER

STATE - ID ZIP CODE -

SOURCE - GROUNDWATER

TRIBUTARY OF -

STAGE - LICENSE

STATUS -

PRICRITY - 06-10-1964 COUNTY - WASHINGTON TOTAL DIV. RATE - .3900 -CFS

TOTAL DIV. VOLUME - 191.00 AFA TRFR/AMEND -

WATER DIST. -

DLE/CAREY ACT - RIGHT BASIS -

DIVERSION POINT - SWSW 10 10N 03W LOT REOIV -

0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

FROM - 04-01 TO - 10-31 USE - IRRIGATION

USE DIV. RATE - .3900 CFS USE DIV. VOLUME - 191.00 AFA

USE - IRRIGATION

PLACE OF USE - TWN 10N RNG 05W SEC 10 TRACT SWSW LOT AC 20

DECREE NAME -

DATE -

TOTAL ACRES 20

REMARKS - AC. IRR. = 19.5.

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 31937

PROOF MADE - FLD EXAM - COND. OF APPROVAL -

DIVERSION MEANS -

67- 2325

WATER RIGHT
DATA ENTRY LOG[illegible]

Director

July 7, 1970

Re: Permit No. 67-2325 (G-31937)

Mr. Jay B. Bennion
Route 3
Weiser, Idaho 83672

Dear Mr. Bennion:

Enclosed herewith is your Water License issued on the above
numbered permit.

Very truly yours,

C. STEPHEN ALLRED
Deputy Director

CSA:kh
Enclosure

C
O
P
Y

67-2325
31937

June 25, 1970

Re: Permit No. 67-2325 (G-31937)

Mr. Jay B. Bennion
Route 3
Weiser, Idaho 83672

Dear Mr. Bennion:

A representative from this department has made an examination of your works covered by Permit 67-2325. The works were found capable of producing 0.77 c.f.s. of which 0.39 c.f.s. can be recognized as beneficially used and licensed under Idaho law. The water is used for domestic, stock water, and irrigation of 19.5 acres of land within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 10, Twp. 10 N., Rge. 5 W., B.M..

If you disagree with the findings, please advise us within 10 days; otherwise, a license will be issued showing the findings as set forth in this letter.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:kh

67-2325
31937

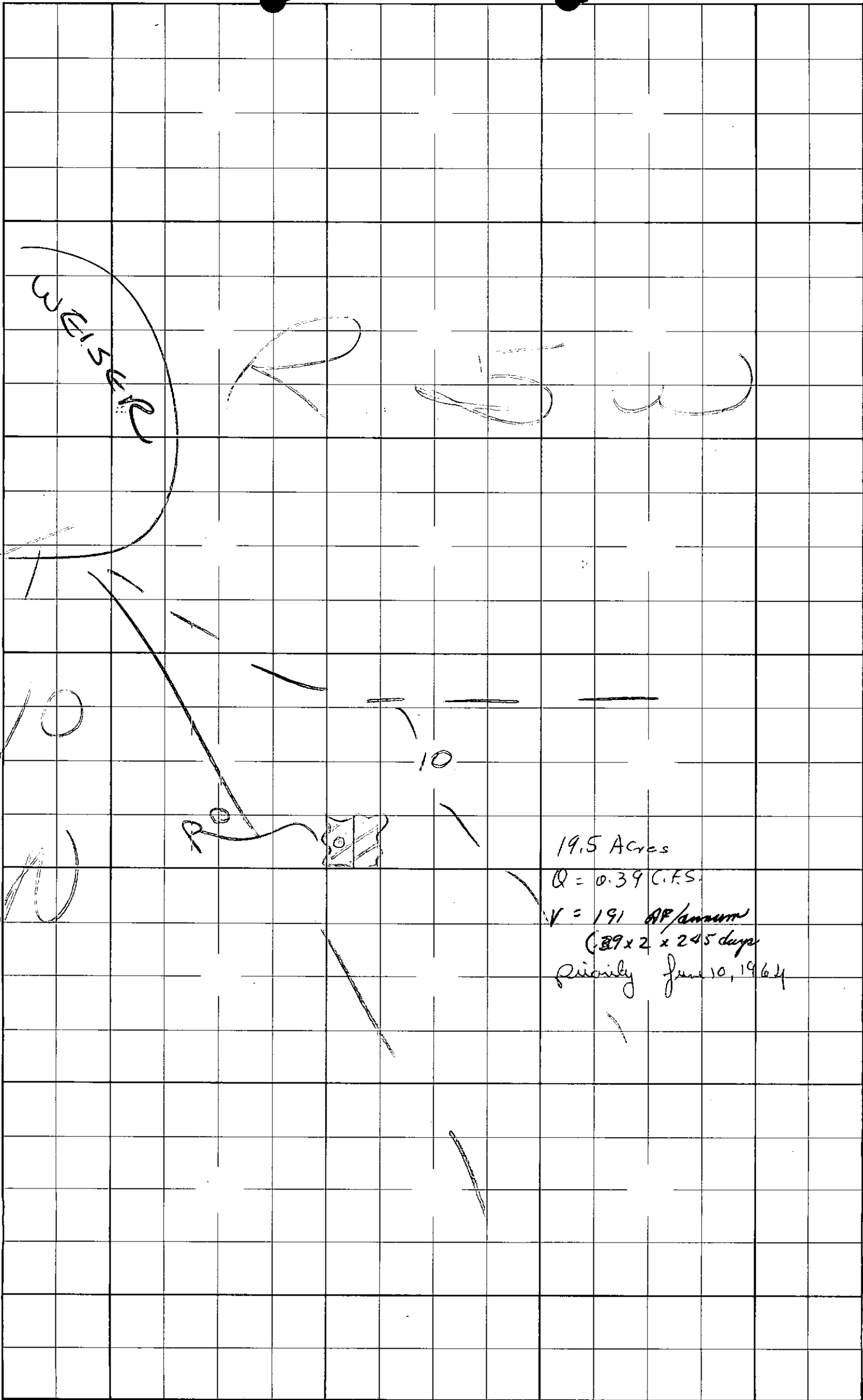
Form 23
2M-4-65

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

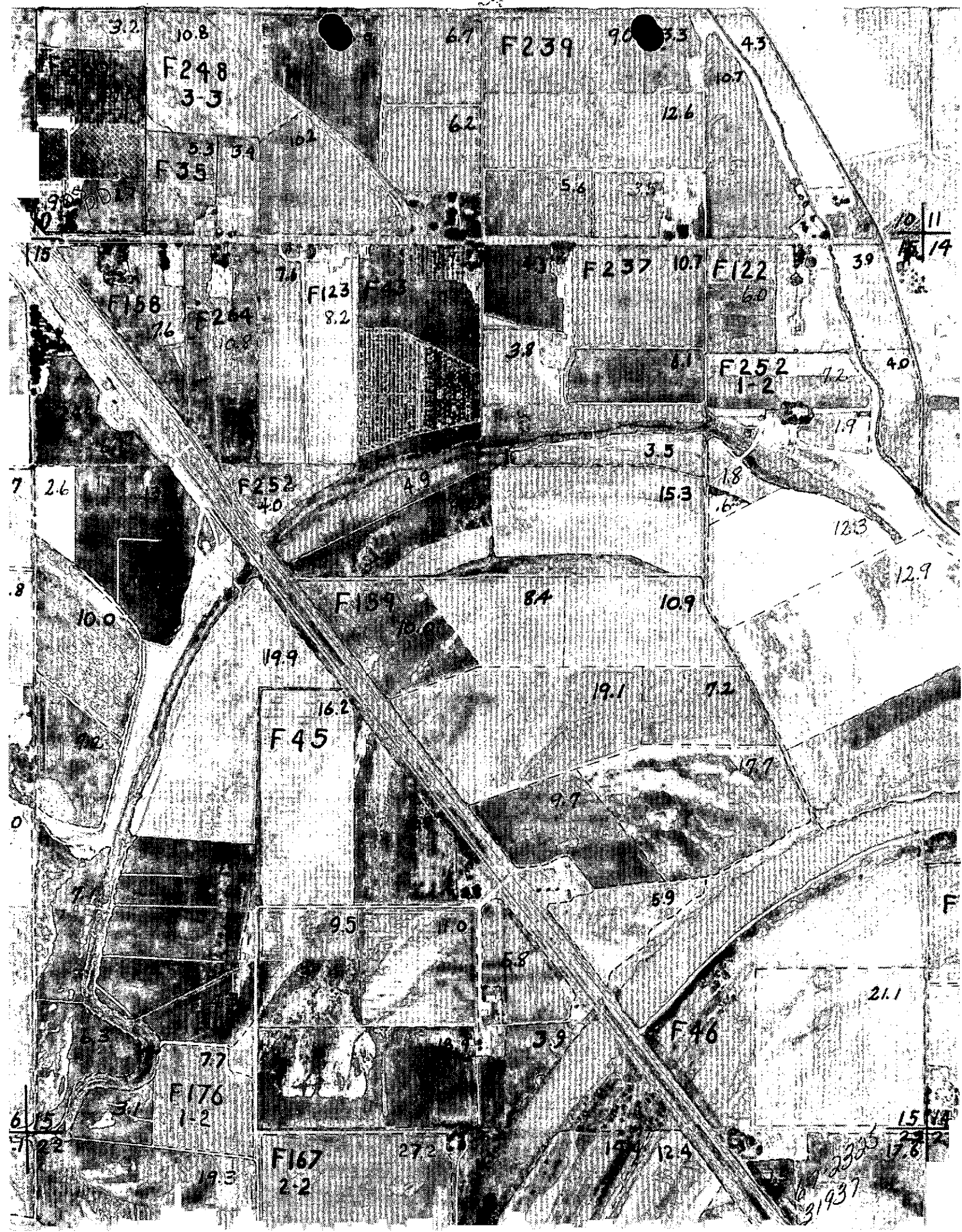
REPORT OF EXAMINER

PERMIT NO. G-31937/67-2325

REPORT ON PROOF OF b/u - Jay B. Bennion, Weiser, Idaho



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. G-31937/67-2325

This proof is for b/u - Max. 0.80 cfs

In Water District No.

1. Name of applicant Jay B. Bennion, Weiser, Idaho (Route 3)

2. Source of water supply: ground-water

3. Location of point of diversion: Is in the W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10
T. 10 N R. 5 W County of Washington

4. Describe works as they exist, giving dimensions and capacities of same:

PROOF - 5 HP motor, 5" vertical turbine pump, Well 8" dia., cement cased, hand-dug.

1760 RPM Motor # 005.261 Peerless Pump with 6" discharge into open ditch.

5. Water is used for: irrigation, stock, domestic

6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 10, T. 10 N, R. 5 W, ²⁰~~40 A~~ 19.5 Acres in W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$
proof - 20 A. S. 10, T. 10 N. R. 5 W B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: proof - we have a smaller pump installed for stock & culinary water. This is a rough estimate of the maximum we would use. would like to have it inc. in the water license. Mr. Bennion was present during exam. 1 milk cow & 3 beef cattle, 1 horse

This examination was made on the 14th day of May, 19 70

(Signed) Robert Hamilton

Examiner.

AKD 6-1-70

67-2325
21937

plat

Permit No. G-31937/67-2325

Examination for b/u - Jay B. Bennion

County Washington

Quantity: Max. 0.80 cfs
Sec. 10 T. 10 R. 5 W

Source: ground-water

P.D.: W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$

Use: irrigation, domestic, stock

Extensions:

Remarks:

Completion of Works:

Other Rights:

Filed: 6-10-64 Made: 5-12-69

Due: 6-12-69 Priority: 6-10-64

Draw:

CHD. gfs

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

Gr. 40

R-440

Date: 5-14

River at

90

92

11

•

183

10

2.00

4482

.96

22

.85

22

	.10	.20	.30	.40	.50	.60	.70	.75
--	-----	-----	-----	-----	-----	-----	-----	-----

December 23, 1969

Re: Permit No. G-31937/67-2325

Jay B. Bennion
Route #3
Weiser, Idaho 83672

Dear Mr. Bennion:

We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit.

Before a license can be issued, a field examination must be made by a representative from 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. If someone other than yourself should be contacted, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:JMB

NOTE: We are enclosing the bill of publication to place with your personal records of the permit.

exam made
5-14-70

31937
67-2325

October 28, 1969

Re: Permit No. G-31937 (New No. 67-2325)

Jay B. Bennion
Route #3
Weiser, Idaho 83672

Dear Mr. Bennion:

The legal notice for the above referenced permit is being published in the Signal American, Weiser, Idaho, on November 6 and November 13, 1969.

You will be required to submit an affidavit of publication to this department. The affidavit may be obtained from the above mentioned newspaper upon payment of the bill of publication.

Thanking you for your cooperation in this matter.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:JNB

31937
67-2325

October 28, 1969

Re: Permit No. G-31937 - Jay B. Bennion

Weiser Signal American
P. O. Box 709
Weiser, Idaho 83672

Gentleman:

Enclosed is a legal notice which we wish to have published 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 our 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 date. If you cannot publish the notice on the proposed dates, please contact the Department of Reclamation immediately.

The expense of the publication is to be paid by Jay B. Bennion,

Route #3, Weiser, Idaho
to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:JME

Enc. Legal Notice (1)

31937
67-2325

No. 285
NOTICE OF EXISTING WATER
PERMIT

Notice is hereby given that Jay B. Bennion, Route 3, Weiser, Idaho has received an approved permit No. G-31937 issued by the Idaho State Reclamation Department authorizing the diversion of 8 cubic feet per second of water from a ground water source, subject to all prior rights. The priority to be established under this permit is June 10, 1964 and the permit is approved June 12, 1964. Water is to be diverted by well from a point within the SW 1/4 SW 1/4, Sec. 10, T. 10 N. R. 5 W. B.M., Washington County to be used for irrigation, stockwater, and domestic purposes in the SW 1/4 SW 1/4, Sec. 10 T. 10 N. R. 5 W. B. M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before June 12, 1969. Any protest against the issuance of a license for the above referenced permit should be filed with the Department of Reclamation within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON
State Reclamation Engineer
Published in the Weiser Signal,
Weiser, Idaho on November 8 and
November 13, 1969.

RECEIVED

MAY 12 1969

Department of Reclamation

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Jay B. Bennion, Route 3, Weiser, Idaho

has received an approved permit No.

G-31937 issued by the Idaho State Reclamation Department authorizing the

diversion ~~/storage~~ of .8 cubic feet per second ~~at the / for / per / year /~~

of water from a groundwater source,

subject to all prior rights. The priority to be established under this permit is

June 10, 1964 and the permit was approved June 12, 1964.

Water is to be diverted by well

from a point within the SW1/4, Sec. 10, T. 10 N, R. 5 W, B. M. Washington County

to be used for irrigation, stockwater, and domestic purposes

in the SW1/4, Sec. 10, T. 10 N, R. 5 W, B. M.

Proof of the application of the water to beneficial use is to be submitted to the
Department on or before June 12, 1969.

Any protests against the issuance of a license for the above referenced permit should be filed with the Department of Reclamation within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Weiser Signal, Weiser, Idaho on

November 16 and November 13, 1969.

State Reclamation Engineer:

Permit No. G-31937

You are hereby authorized to have the attached notice published at may expense in

the Weiser Signal of Weiser, Idaho;

published in the county in which the works are situated.

Jay B. Bennion
(Signature)

Rt. # 3 Weiser, Idaho
(Address)

May 8, 1969
(Date)

31937

May 22, 1969

Re: Permit No. G-31937

C
O
P
Y
Jay B. Bennion, Rou
Route 3
Weiser, Idaho

Dear Mr. Bennion:

Please find enclosed a copy of the APPROVED application for amendment for the above referenced and Departmental receipt no. 3085 in the amount of \$5 for the fee. If we may be of further assistance, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:TC

Enc: copy of amendment
Departmental receipt no. 3085

31937

May 14, 1969

Re: Permit No. G-31937

C
O
P
Y
Jay B. Bennion
Route # 3
Weiser, Idaho

Dear Mr. Bennion:

We acknowledge receipt of your affidavit submitted as proof of beneficial use for permit G-31937.

As per the telephone conversation with our Mr. Dean Reynolds of this date, we are enclosing an Application for Amendment form for your signature. In order to add the domestic and stockwater purposes to your permit, we will need the signed application for amendment together with a \$5.00 statutory fee.

Upon receipt of the above we will amend your application for permit and cause the legal notice to be published in the Weiser Signal.

We will continue processing your permit upon hearing from you.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

Enc: Application for amendment form

31937

April 1, 1969

Re: Permit No. G-31937

Jay B. Bennion
Route 3
Weiser, Idaho

Dear Mr. Bennion:

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a person to make proof and relieve the permit holder from making separate proofs of completion of works and beneficial use of water.

The enclosed order modifies your permit to comply with these rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department, stating that you have been issued a permit and are now submitting proof of beneficial use. Previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

If you will complete the enclosed forms, we will cause the notice to be published. Should you require additional forms or information, we will be glad to supply it upon request at any time.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:tg
Enc: order
proof due notice
proof package
advertising package

31937

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. G-31937)

in the name of Jay B. Bennion)

Rt. 3, Weiser, Idaho)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law; and,

WHEREAS, these changes raised questions as to the procedures to be followed by holders of permits issued prior to the effective date of the amendments, May 31, 1967; and,

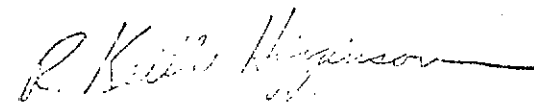
WHEREAS, on August 1, 1968, the Department of Reclamation adopted Rules of Practice and Procedures for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. G-31937 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above-numbered permit are hereby modified to conform to the adopted Rules of Practice and Procedures as follows:

1. The above-numbered permit will be completed under the terms of Title 42, Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above-numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit holders expense for two weekly issues in the official newspaper of the county in which the point of diversion lies.

Dated this 7th day of April, 1969.



R. KEITH HIGGINSON
State Reclamation Engineer

by 

JACK A. BARNETT
Deputy State Reclamation Engineer

31937

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and
address where delivered

☐ Deliver **ONLY**
to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

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

CERTIFIED NO.

1

Mrs. J. B. B. B.

INSURED NO.

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

SHOW WHERE DELIVERED (only if requested)

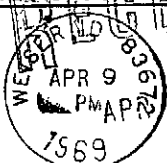
4-9-69

3

28-31937

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$300



NATIONAL FIDDLER'S
FESTIVAL
3RD WEEK IN JUNE

POSTMARK OF
DELIVERING OFFICE

INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article RETURN RECEIPT REQUESTED.

RETURN
TO

NAME OF SENDER

STREET AND NO. OR P.O. BOX

Department of Reclamation

Annex # 2 Statehouse

POST OFFICE, STATE, AND ZIP CODE

Boise, Idaho 83707

655-10-71E4B-10

POD Form 3811 Apr. 1967

April 14 1969

Re: Permit No. G-31937

Jay B. Bennion
Route 3
Weiser, Idaho

Dear Mr. Bennion:

One of the conditions of the approval of your permit
G-31937 was that proof of application of the water to
beneficial use be submitted to this office on or before
June 12, 1969.

Enclosed is an affidavit form which must be used to submit
this proof. You may request an extension of time provided the
delay is for reasonable cause as indicated in Section 42-204, ICA.

Either the proof or a request for extension 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

State Reclamation Engineer

Enclosure: Proof form

June 25, 1964

Re: Permit No. G-31937

Mr. Jay B. Bemmion,
Rt. #3,
Weiser, Idaho.

Dear Mr. Bemmion:

We enclose Permit No. G-31937 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G-9758 which was issued covering payment in the amount of \$ 5.00 for the filing fee of the above mentioned permit.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

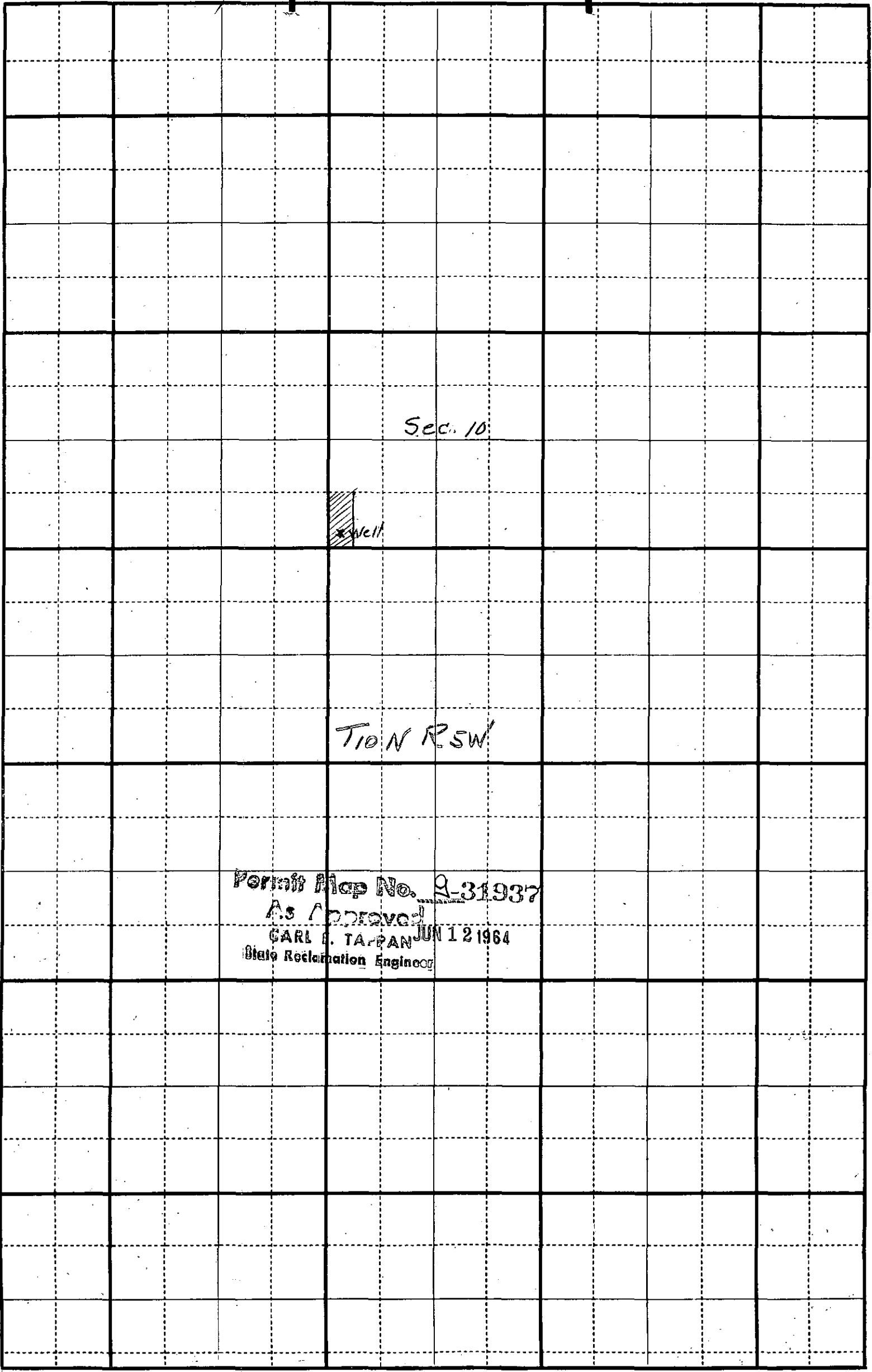
(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk

631937

NAME OF APPLICANT JAY B. BENNION

Form No. 0



SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

231937