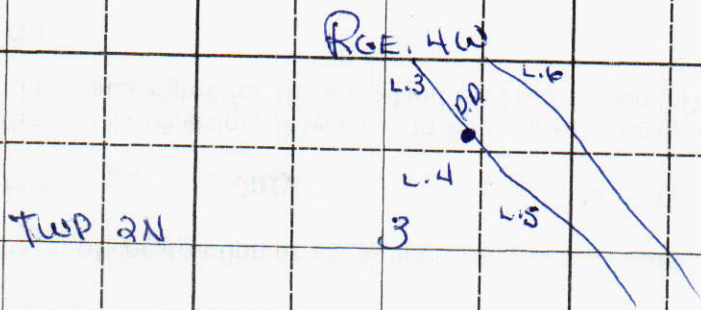


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

Lot 1 Block 1, VALLAHLON SUBDIVISION
RIVERVIEW DRIVE, MARSHING -
About 2000 ft So. of the bridge in
MARSHING -



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.

Raymond S. Sargent
(Applicant)

MICROFILMED

PROOF OF PUBLICATION

STATE OF IDAHO, County of Owyhee, s.s.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once a week and every week for 2 consecutive weeks, the first publication being on the 28 day of May, 1981, and the last publication being on the 4 day of June, 1981;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy - eight consecutive weeks prior to the first publication of the attached notice.


PUBLISHER

Subscribed and sworn to before me this 4 day of

June, 1981.


NOTARY PUBLIC

My commission expires 9-12-84

(SEAL)

NOTICE OF 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:

02 - 7346

BENEFIELD, RAYMOND H.
P. O. BOX 593, MARSING,
ID 83639

Source: SNAKE RIVER tri-
butary to COLUMBIA RIVER

Date Filed: 05/06/1981

Amount: 0.02 CFS

Diversion Point: LOT 03
(NWNE) Sec 03 T 02N R 04W,
OWYHEE Co.

Use: DOMESTIC (0.02 CFS)
from 04/01 to 11/01

Place of Use: NWNE Sec 03
T 02N R 04W

Diversion Means: PUMP
& PIPELINE.

51 - 7169

JOHNSON, DANIEL L.
BOX 327, HAGERMAN, ID
83332

Source: GROUNDWATER

Date Filed: 05/11/1981

Amount: 6.40 CFS

Diversion Point: SESW Sec
23 T 07S R 05E NWSW Sec
25 T 07S R 05E NENW SENW
Sec 26 T 07S R 05E

SWNE SENE NESE NWSE
Sec 26 T 07S R 05E, OWYHEE
Co.

Use: IRRIGATION (6.40
CFS) from 03/15 to 11/15

Place of Use: SESW Sec 23
T 07S R 05E NWSW Sec 25 T
07S R 05E SWNE SENE NENW
SENE NESE NWSE Sec 26 T
07S R 05E FOR 320 ACRES

Diversion Means: WELLS,
PUMPS & PIPELINE.

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, 92 S. Cole Road, Boise, Idaho 83709 on or before JUNE 15, 1981.

A. KENNETH DUNN,
Director

Published May 28 and June 4,
1981, in the Owyhee Nugget,
Marsing, Owyhee County, Idaho.

RECEIVED

JUN 19 1981

Department of Water Resources
Western Regional Office

DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



495-2817
per phone con. w/ Dwyer
Co. address office
5/1/86:

Box 2645
Nashville, TN
37219



RECEIVED
APR 28 1986

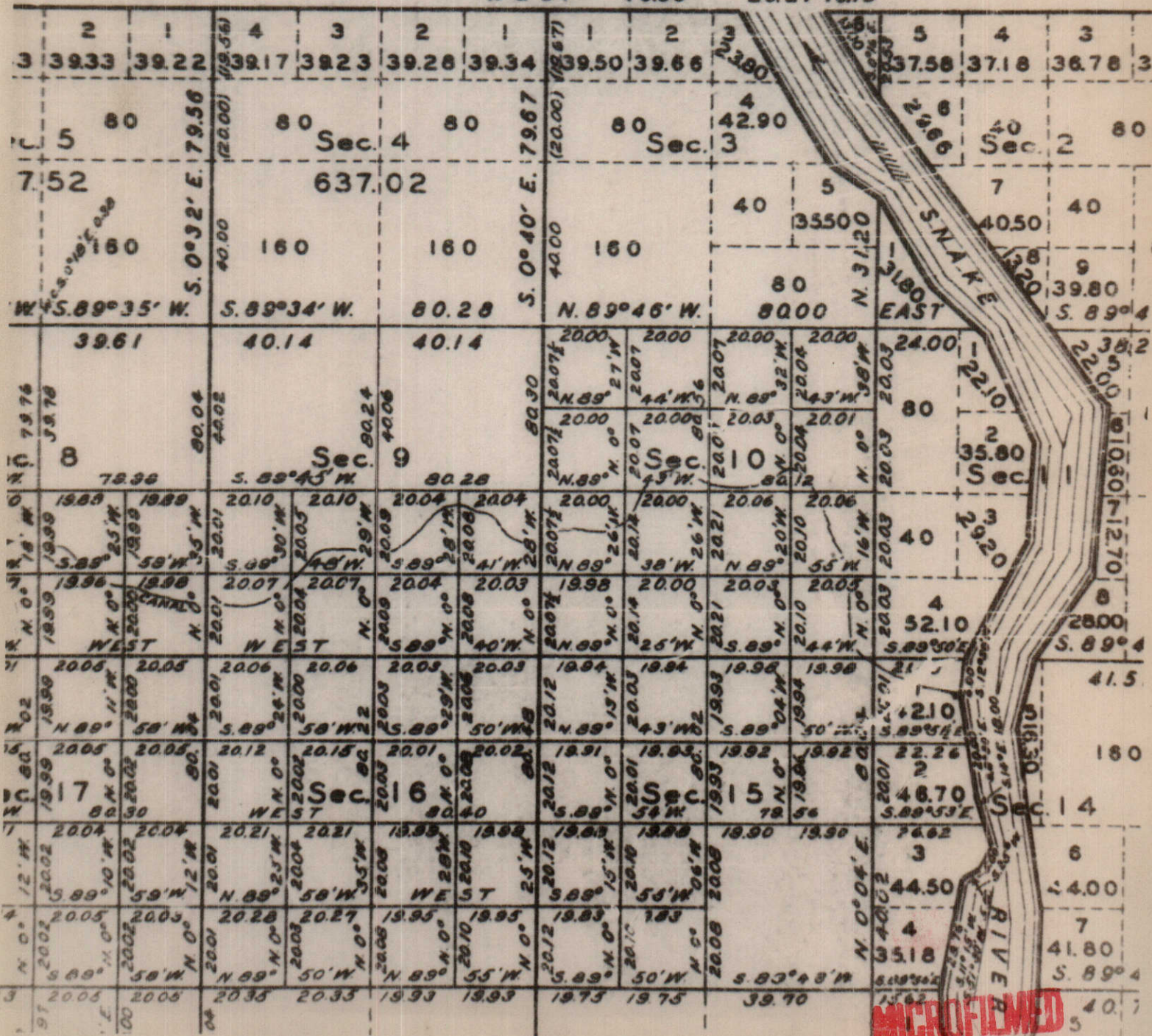
Department of Water Resources

Raymond H. Benefield
Box 593
Marsing, ID 83639

kw

COMPOSITE PLAT OF RANGE N° 4 WEST, OF THE BOI

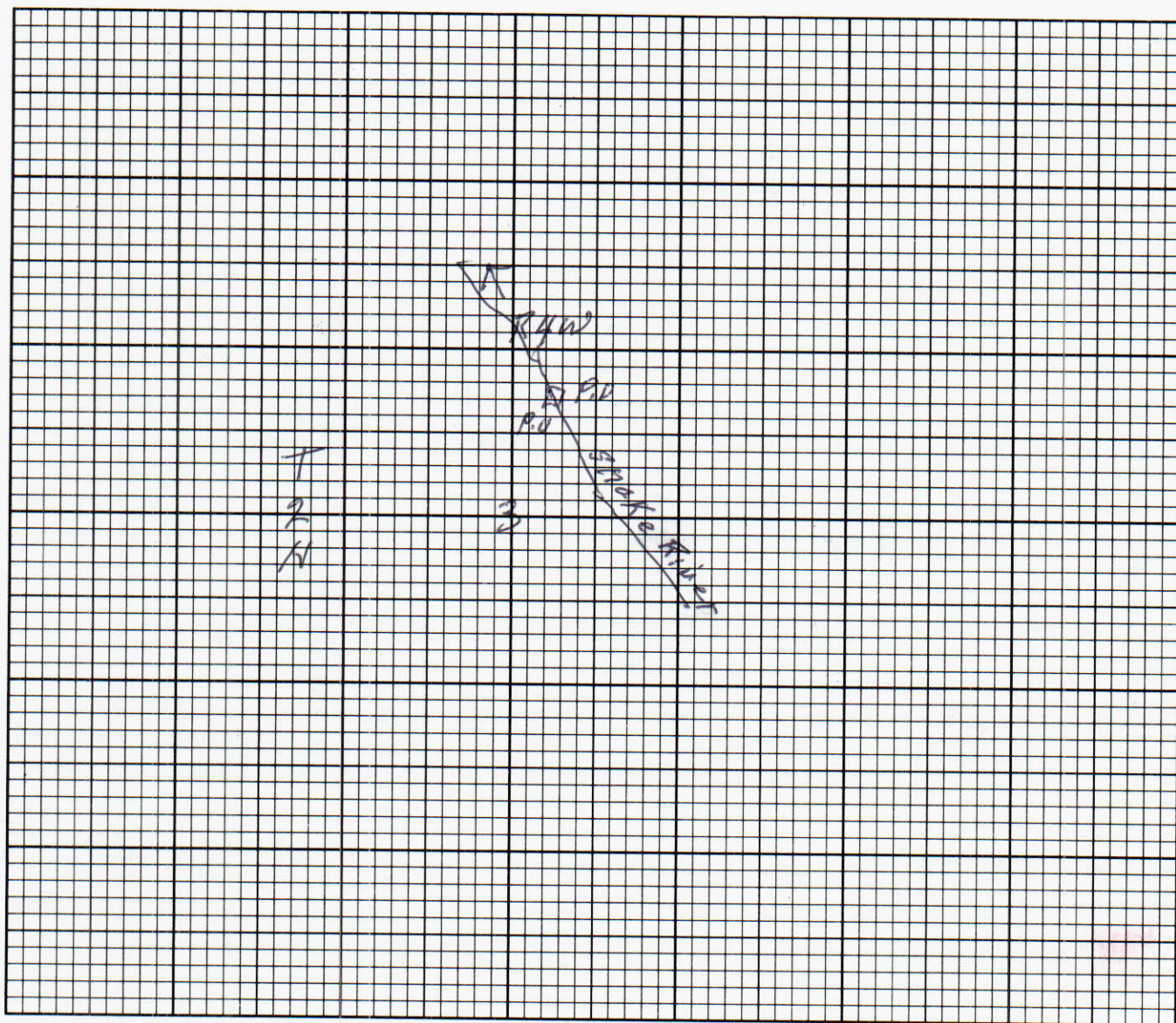
WEST 46.50 20.27 13.75



10. Other water rights on these lands none
11. Other water right diverted from same p.d. none

MICROFILMED

12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☐ Photo of Diversion & System Attached

- ☐ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks _____
- _____
- _____
- _____
- _____

15. 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

16. Examiner's/Consultant's Signature John K. Moyer Date 8/12/85

Consultant's License Number _____

IDWR Director's Authorization to Conduct

Beneficial Use Examination _____

Date

CONSULTANT SEAL

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that Raymond H. Benefield
of Marsing, Idaho, has complied with the terms and conditions of Permit
No. 02-7346 issued pursuant to Application for Permit dated May 6, 1981,
and has submitted proof to the Department of Water Resources on May 5, 1982,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.13 cfs of water from Snake River,
tributary to Columbia River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Subject, however, to the condition that no more than 0.02 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 0.6 acre feet per year, said waters to be diverted within the Gov. Lot 3 (NW1NE1) Section 3, Twp 2N, Rge 4W in the County of Owyhee

[illegible]

MICROFILMED

MICROFILMED

CONDITIONS OF APPROVAL

a. 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.

b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

c. Any water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water other than hydropower, within the State of Idaho initiated later in time than the priority of this license.

Domestic use is for lawn watering only.

P/U also known as Lot 1, Block 1, Vallatton Subd.

Water shall not be diverted under this right unless the flow of the Snake River exceeds established downstream minimum stream flows.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 23RD day of APRIL, 19 86.

Acting for the Director 

218

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant BENEFIELD, RAYMOND H Phone 896 4745
Post office address P.O. Box 593, MARSHING, IDAHO 83639
2. Source of water supply SNAKE RIVER which is a tributary of COLUMBIA RIVER
3. Location of point of diversion is NW ^(LOT 33) $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 3 Township 2N
Range 4W B.M. OWYHEE County, additional points of diversion if any: LOT 1, BLOCK 1, VALLATON SUB., MARSHING, ID.
4. Water will be used for the following purposes:
Amount .02 for Domestic purposes from APRIL 1 to NOV. 1 (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. .02 cubic feet per second and/or b. _____ acre-feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. EAST END of LOT -
pump - 3/4 H.P. MOTOR + pipeline
b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____
Period of year when water will be diverted to storage _____ 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 1 1/2 years (minimum 1 year - maximum 5 years).
8. Description of proposed uses:
a. If water is not for irrigation: LAWN
(1) Give the place of use of water: NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 3 Township 2N
Range 4W 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: to WATER LAWN - ABOUT
1/4 ACRE - SPRINKLERS

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2N	4W	3		X ²⁻³															1/4

Total number of acres to be irrigated 1/4 Acre

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

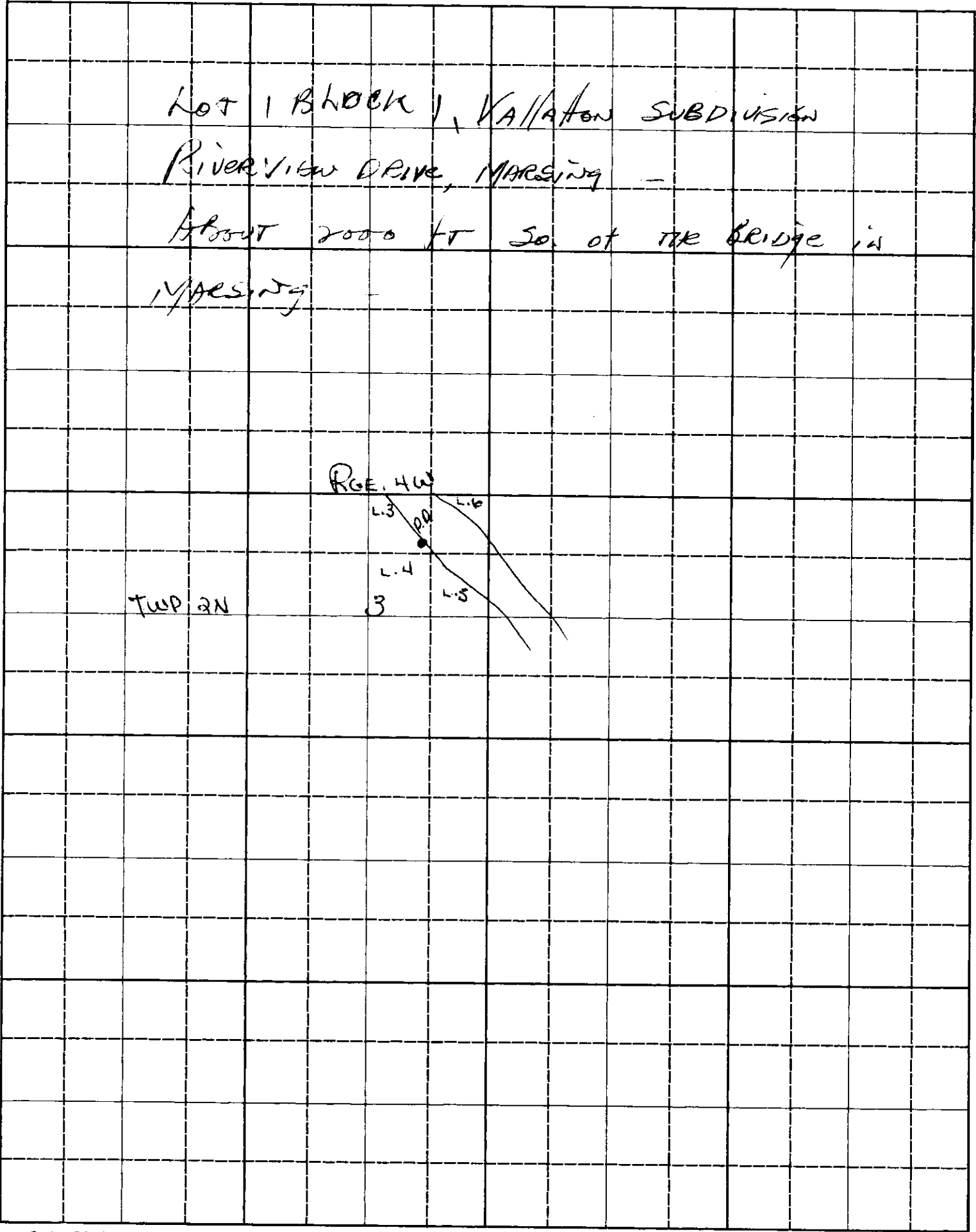
9. a. Who owns the property at the point of diversion RAYMOND H & NANCY J. Benefield

b. Who owns the land to be irrigated or place of use SAME AS A.

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 PLEASE FURNISH form for proof of Beneficial use -

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



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.

Ryan D. Dwyer
(Applicant)

MICROFILMED

Proposed Priority 5/6/81
Received by hll Date 5/6/81 Time 10:00 no check
Preliminary check by js Fee \$ 30.00
Receipted by hll Date 5/16/81 # 18906
Publication prepared by hll Date 5/21/81
Published in Owyhee Nugget
Publication dates 5/28 & 6/4/81
Publication approved JG Date 6/23/81
Protests filed by: none

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by DBS 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. 02-7346, 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 July 1, 19 82.
- 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:

Water shall not be diverted under this permit unless the flow of the Snake River at the U.S. Geological Survey stream gaging station at Murphy exceeds 3,300 c.f.s. and at Weiser exceeds 4,750 c.f.s.

Witness my hand this 30th day of June, 1981.

L. Glen Saxton
Chief, Operations Bureau

MICROFILMED

PROOF OF PUBLICATION

STATE OF IDAHO, County of Owyhee, s.s.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once a week and every week for 2 consecutive weeks, the first publication being on the 28 day of May, 1981, and the last publication being on the 4 day of June, 1981;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy - eight consecutive weeks prior to the first publication of the attached notice.

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 4 day of

June, 1981.
Louis A. Hawes

NOTARY PUBLIC

My commission expires 9-84

(SEAL)

RECEIVED

NOTICE OF PUBLICATION FOR PERMIT

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

5537344

DEWEY, RAYMOND H.
P. O. BOX 222 MARSING, ID 83439

Source: SNACK RIVER tributary to COLUMBIA RIVER
Date Filed: 05/06/1981
Amount: 0.02 CFS
Diversion Point: LOT 03 (NW1/4) Sec 03 T 02N R 04W, OWYHEE Co.
Use: DOMESTIC 40.02 CFS from 04/01 to 11/01
Place of Use: NW1/4 Sec 03 T 02N R 04W
Diversion Means: PUMP & PIPELINE

51-1160
JOHNSON, DANIEL L.
BOX 327, HAGERMAN, ID 83402

Source: GROUNDWATER
Date Filed: 03/14/1981
Amount: 6.40 CFS
Diversion Point: 1/4 SW 1/4 Sec 23 T 07S R 05E NWSW Sec 25 T 07S R 05E NWSW SENW Sec 26 T 07S R 05E SWNE Sec 26 T 07S R 05E, OWYHEE Co.
Use: IRRIGATION (6.40 CFS) from 03/15 to 11/15
Place of Use: 1/4 SW 1/4 Sec 23 T 07S R 05E NWSW Sec 25 T 07S R 05E NWSW SENW Sec 26 T 07S R 05E SWNE Sec 26 T 07S R 05E, OWYHEE Co.
Diversion Means: WELLS, PUMPS & PIPELINE

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, 22 S. Cole Road, Boise, Idaho 83709 on or before JUNE 15, 1981.

A. KENNETH DUNN,
Director

Published on and June 4, 1981, in the Owyhee Nugget, Marsing, Owyhee County, Idaho.

6/23/81

RECEIVED

Department of Water Resources
Western Regional Office

DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

495-2817
phone con. w/ Dwyer
office

DELIVERED
FORWARDING

RECEIVED
APR 28 1986

Department of Water Resources



Raymond H. Benefield
Box 593
Marsing, ID 83639

Box 20
Nashville, TN
37219
(kw)



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

April 24, 1986

RE: Permit No. 02-7346

Raymond H. Benefield
Box 593
Marsing, ID 83639

Dear Mr. Benefield:

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

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc

Enclosure

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

RECEIVED
MAR 25 1986
02-7346
Permit No.

Department of Water Resources

1. Measurement Calculations

a) Field Measurement Calculations (Include theoretical capacities and system capacity)

Horse Power method: $2 \text{ HP} \times 8.8 \times .85 \text{ eff} = 14.96$
20 ft lift $\times .43 \text{ HP/ft}$ (93.02) ≤ 113.02 $14.96 \div 113.02 = .13255$ ✓
Est of GPM at each dd $5 \text{ GPM} \times 10 \text{ hrs} = 50 \text{ GPM} \times .002228 = .1114$ ✓
Recommend .02555 as per permit. ✓
6 AFH ✓

b) Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$
 $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$
 $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$

c) Volume Calculations for Other Uses:

2. Overlap Review

- a) Other water rights with same place of use: none
- b) Other water rights with same point of diversion: none
- c) Analysis:

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License

MICROFILMED

4. Permit Holder: Raymond H. Benefield ✓

5. Source: Snake River ✓ tributary to Columbia River ✓

- Domestic ✓ 4/1 ✓ 11/1 ✓ 0.02 cfs 0.6 AF

Allowable Maximums: 0.02 cfs 0.6 AF

- | No. | Govt. Lot | ¼ | ¼ | ¼ | Sec. | Twp. | Rge. | County |
|-----|-----------|-----|-----|---|------|------|------|---------|
| | GL 3 | (NW | NE) | | 3 | 24 | 4W | Owyohee |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

- | Twp. | Rge. | Sec. | NE 1/4 | | | | NW 1/4 | | | | SW 1/4 | | | | SE 1/4 | | | | Totals |
|-------------------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| | | | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | |
| | | | | | | | | | | | | | | | | | | | |
| 2N | 4W | 3 | | 643 | | | | | | | | | | | | | | | |
| | | | | X | | | | | | | | | | | | | | | |
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| | | | | | | | | | | | | | | | | | | | |
| Total Acres _____ | | | | | | | | | | | | | | | | | | | |

- Domestic use is for lawn watering only.
P/U also known as Lot 1, Block 1, Vallatton
Subdivision.

- ☐ 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 _____

- Checked in Regional Office by 625 Date 3/19/86

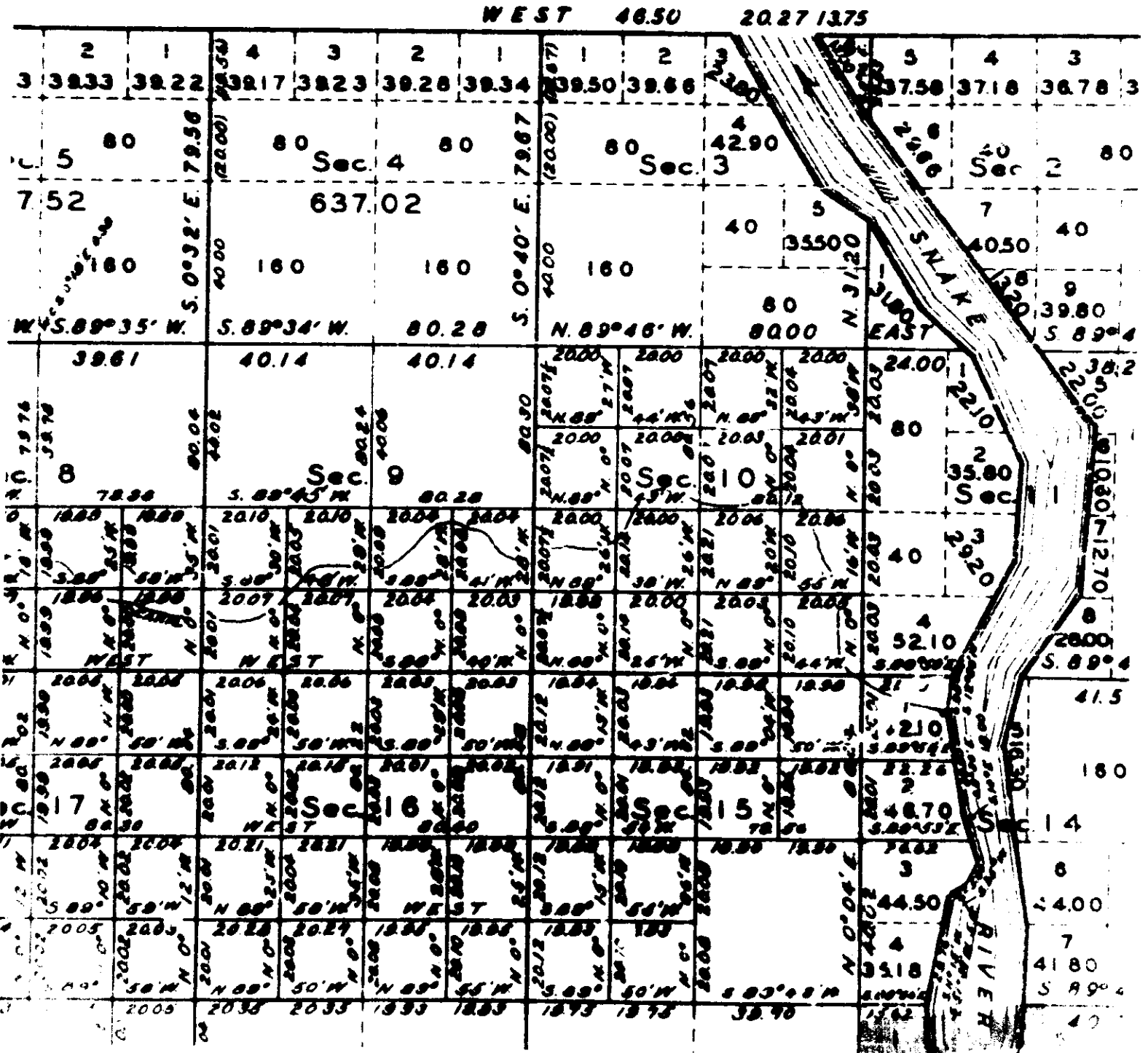
- Approved in State Office by K. Walker Date 4/3/86

Date 6/13/85

Date 3/19/86

Date 4/3/86

COMPOSITE PLAT OF
RANGE N° 4 WEST, OF THE BOI



9.

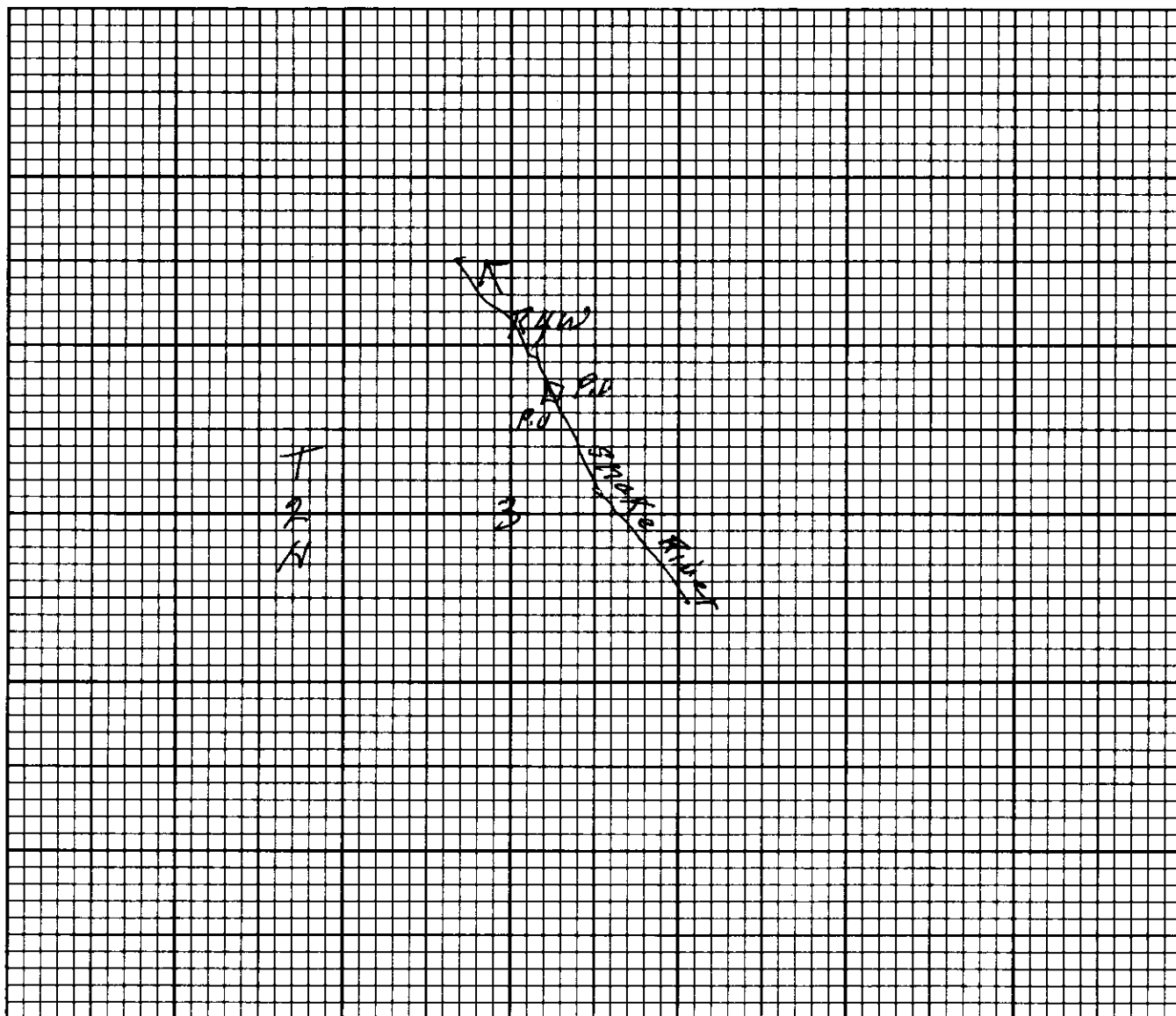
Irrigation - give acres served by system at time of exam.
Indicate Method of Determination _____

Place(s) of Use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
				43															
2 N	4 W	3		X															
			Total Acres _____																

10. Other water rights on these lands none
11. Other water right diverted from same p.d. none
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.

MICROFILMED



13. ☐ Photo of Diversion & System Attached

☐ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks _____

15. 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

16. Examiner's/Consultant's Signature John K. Meyer Date 9/12/85

Consultant's License Number _____

IDWR Director's Authorization to Conduct

Beneficial Use Examination _____

Date

CONSULTANT SEAL



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

December 7, 1982

Raymond H. Benefield
P.O. Box 593
Marsing, Idaho 83639

Re: 02-7346

Dear Mr. Benefield:

We acknowledge receipt of your statement 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.

☐

A field examination of your system has been scheduled for _____.

If this time and date is not convenient for you, please contact this office as soon as possible.

☒

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

If you have any questions regarding the field examination, please contact this office.

Sincerely,

Judy Pense

Judy Pense
Secretary

RECEIVED
DEC 10 1982
WATER RESOURCES
BOISE, IDAHO

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card a statement that the permit holder(s) has completed development to the extent shown below on Permit No. 02-7346.

Name(s) of Permit Holder: BENEFIELD, Raymond H

Post Office Address: P. O. Box 543

MARSING, IDAHO Tel. No. 896-4745

Source of Water: SNAKE RIVER 83639

Extent of ~~USE~~

- ☒ Domestic 1/3 to 1/2 ACRES (number of households)
- ☐ Stockwater (number and type of stock)
- ☒ Irrigation 1/3 to 1/2 (acres)
- ☐ Other

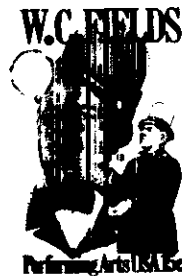
Measuring Device:	Required?	☐ Yes ☒ No	Installed?	☐ Yes ☐ No
Access Port:	Required?	☐ Yes ☒ No	Installed?	☐ Yes ☐ No

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

5-4-82
Date

Raymond H Benefield
Signature of Permit Holder

Benevie O
P.O. Box 593
MARSING, IDAHO 83639



RECEIVED



MAY 5 1982
IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE

BOISE, IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL
#138743

BENEFIELD, RAYMOND H.
P.O. BOX 593
MARSING, ID 83639

APRIL 30, 1982

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 02-7346 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE JULY 01, 1982. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1

July 8, 1981

Benefield, Raymond H.
P.O. Box 593
Marsing, ID 83638

Dear Mr. Benefield,

RE: Permit No. 02-7346

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval on the fourth page.

The exercise of this permit may also be affected by the Supreme Court's review of the case of Idaho Power Company vs. State of Idaho et al., Ada County Civil No. 62237, currently being appealed to the Supreme Court of Idaho. Since the use of water under your permit may affect the flows in the Snake River between Milner Dam and Hells Canyon the final decision in this case may determine to what extent the exercise of your permit is subject to water rights of Idaho Power. While the Supreme Court is reviewing this case, Idaho Power Company has not filed a specific protest to your permit. However, the Department of Water Resources has been advised that the Power Company is not waiving any of its rights to contest or limit the exercise of your permit or subsequent license.

Note also that water shall not be diverted under this permit unless a base flow of the Snake River at the U.S. Geological Survey stream gaging station at Murphy exceeds 3,300 c.f.s. and at Weiser exceeds 4,750 c.f.s. In addition, there are many applications for permit for the use of Snake River water that are prior to your permit. These applications have been filed for the irrigation of lands that the applicants are attempting to obtain under the Federal Land Laws such as Desert Entry and Carey Act. If these lands are developed, and if the base flow is maintained, then no water would be available for this permit. Therefore, you should carefully consider these facts before making any expenditures for the construction of your system.

We have enclosed a form entitled "Making Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

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

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83709
(208) 334-2190

MAY 21, 1981

Owryhee Nusset
Marsing, ID 83639

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 JUNE 15, 1981.

Yours truly,

HELEN L. HARRINGTON
Secretary

Encl.

MAILED
MAY 22 1981

NOTICE OF 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:

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, 92 S. Cole Road, Boise, Idaho 83709 on or before JUNE 15, 1981.

A. KENNETH DUNN

Director

Published 5/28 & 6/4/81.

RECEIVED

BENEFIELD, RAYMOND H.

P.O. BOX 593, MARSING, ID 83639

Source: SNAKE RIVER tributary to COLUMBIA RIVER

Date Filed: 05/06/1981

Amount: 0.02 CFS

Diversion Point: LOT 03 (NWNE) Sec 03 T 02N R 04W, OWYHEE Co.

Use: DOMESTIC (0.02 CFS) from 04/01 to 11/01

Place of Use: NWNE Sec 03 T 02N R 04W

Diversion Means: PUMP & PIPELINE.

MICROFILMED

April 28, 1981

Raymond H. Benefield
Box 593
Marsing, Idaho 83639

Dear Mr. Benefield:

We have received your application for permit submitted for the irrigation of one-quarter acre.

However, a \$30 filing fee is also required on applications for permit before we can process them.

Please submit this \$30 filing fee as soon as possible in order for this permit to be prppessed.

If you have any questions, please contact us.

Sincerely,

AAM GROVER
Senior Water Resource Agent

JG:hh