

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 Bennington Water System Phone
Post office address Star Route 2 Montpelier, ID 83254
2. Source of water supply Spring which is a tributary of Sink
3. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 10 Township 12S
Range 44E B.M. Bear Lake County, additional points of diversion if any:

4. Water will be used for the following purposes:

Amount 0.13cfs for Municipal purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)
Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)
Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 0.13cfs cubic feet per second and/or b. acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Buried pipeline from spring to
central distribution system.

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 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation: Bennington Township

(1) Give the place of use of water: $\frac{1}{4}$ of $\frac{1}{4}$ of Section 9 Township 12S
Range 44E 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 Bennington, or number of families to be
supplied with domestic water .

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

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	

Total number of acres to be irrigated _____

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

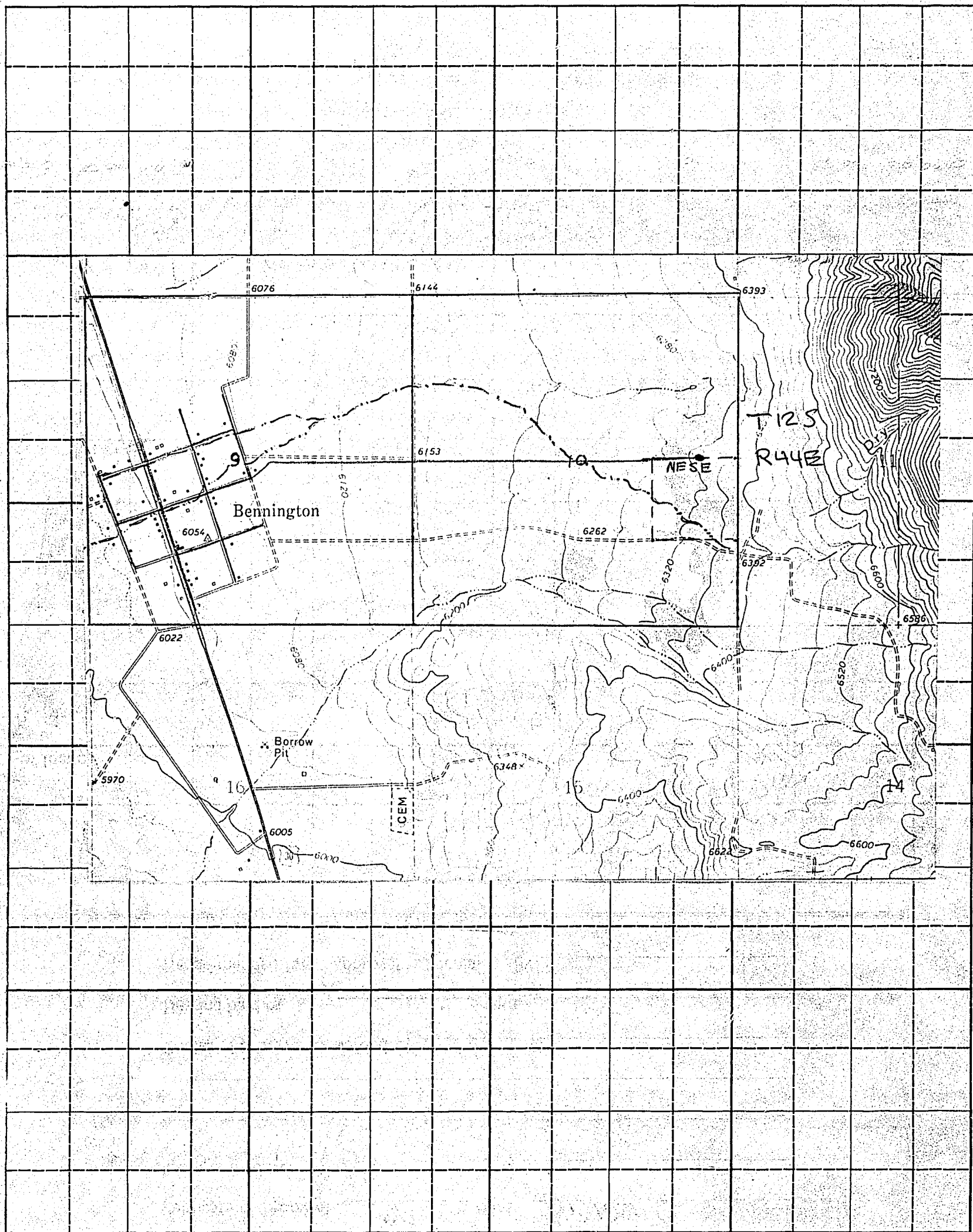
9. a. Who owns the property at the point of diversion Irvin Mouristen Estate

b. Who owns the land to be irrigated or place of use Bennington townsite

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

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



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.

Bennington Water System
(Applicant)

Marvin Sparks
secty.

Proposed Priority 5-24-83

Received by CW Date 5-24-83 Time 5-24-83

Preliminary check by KW Fee \$ 30.00

Receipted by BP Date 5/31/83 # 26344

Publication prepared by BP Date 6/1/83

Published in News Examiner

Publication dates 6/9 & 6/16/83

Publication approved BP Date 7/6/83

Protests filed by: None

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by RDC

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. 11-7317, and said application is hereby Approved.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 19 84.
- 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:

The issuance of this permit in no way grants any right-of-way or easement across the land of another.

Witness my hand this 26th day of July, 1983.

L. Glen Saxton

Chief, Operations Bureau

8/15
No 2307 JUN 15 1983

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Bear Lake

ss.

Marie B. Nye

being duly sworn,

deposes and says:

That he is the Publisher of THE NEWS-EXAMINER, a weekly newspaper published at Montpelier, in the County of Bear Lake and State of Idaho; and said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Montpelier; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for 2 consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not 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

June 9, 1983, and ending
with the issue of June 16, 1983.

Fees, 12.50

Subscribed and sworn to before me this 16th day
of June, 1983.

Karl Jensen

Notary Public, Residing at Montpelier, Idaho

My Commission Expires November, 1985.

RECEIVED
JUL 07 1983

Department of Water Resources
Eastern District Office

LEGAL NO. 2307
NOTICE OF APPLICATION
FOR WATER RIGHT

LEGAL NO. 2307
NOTICE OF APPLICATION
FOR WATER RIGHT

The following application(s) have been filed
to appropriate the public waters of the State
of Idaho:

11-7317

BENNINGTON WATER SYSTEM
STAR RT. 2, MONTPELIER, ID 83254

Source: SPRING trib. to SINKS

Date Filed: 05/24/1983

Diversion Pt: NESE Sec 10 T 12S R 44E

Use: MUNICIPAL (0.13 CFS)

Place of Use: Within the city limits of Ben-
nington.

The permit(s) will be subject to all prior
water rights. Protests must be filed with the
Director, Dept. of Water Resources, 150
Shoup Ave., Suite 15, Idaho Falls, Idaho
83402 on or before JUNE 27, 1983.

KEN DUNN, Dir.

6-9, 6-16
20 LINES

LEGAL NO. 2307
NOTICE OF APPLICATION
FOR WATER RIGHT

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NOTICE OF APPLICATION
FOR WATER RIGHT

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to appropriate the public waters of the State
of Idaho:

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STAR RT. 2, MONTPELIER, ID 83254
Source: SPRING trib. to SINKS
Date Filed: 05/24/1983
Diversion Pt: NESE Sec 10 T 12S R 44E
Use: MUNICIPAL (0.13 CFS)
Place of Use: Within the city limits of Ben-
nington.

The permit(s) will be subject to all prior
water rights. Protests must be filed with the
Director, Dept. of Water Resources, 150
Shoup Ave., Suite 15, Idaho Falls, Idaho
83402 on or before JUNE 27, 1983.
KEN DUNN, Dir.

6-9, 6-16
20 LINES

11-7317

BENNINGTON WATER SYSTEM

STAR RT. 2, MONTPELIER, ID 83254

Source: SPRING trib. to SINKS

Date Filed: 05/24/1983

Diversion Pt: NESE Sec 10 T 12S R 44E

Use: MUNICIPAL (0.13 CFS)

*Place of Use is Within City
limits of Bennington.*

NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before JUNE 27, 1983.

KEN DUNN, Dir.

Published 6/9 & 6/16/83.

June 6, 1983

RE: Application for Permit No. 11-7317 BENNINGTON WATER SYSTEM

Idaho Department of Health & Welfare
150 North Third
Pocatello, ID 83201

Gentlemen:

We are enclosing a copy of an application that may be of interest to your agency. Please review the application and submit any comments you may have to our Department as soon as possible. The last date of protest is June 27, 1983, and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosure



STATE OF IDAHO

DEPARTMENT OF HEALTH AND WELFARE

RECEIVED

JUN 17 1983

DIVISION OF ENVIRONMENT
Department of Water Resources
150 North 3rd Avenue Eastern District Office
Pocatello, Idaho
83201

16 June 1983

Bennington Water Co.
Star Route 2
Montpelier, Idaho 83254

Re: Application #11-7317
(Bear Lake County)

Gentlemen:

We have been apprised of your application for a permit to appropriate the public waters of the State of Idaho to provide domestic water to Bennington.

By regulation your proposed water system is defined as "public-community" and, therefore, subject to the Idaho Regulations for Public Drinking Water Systems. The regulations set forth minimum requirements for construction, water quality, monitoring, and maintenance and operation; further, the regulations (Section 1-8400.01) requires approval by the Department of plans and specifications for the water system prior to construction. If you require a copy of these rules and regulations, please forward your request to:

Administrative Procedures Section
Department of Health and Welfare
Division of Support Services
10th Floor - 450 West State
Boise, Idaho 83720

The cost of this booklet is \$4.40, and your check should accompany the request.

If we may be of assistance with interpreting the regulations, please do not hesitate to contact us (#236-6160).

Sincerely,

Elmer W. Smith

Elmer W. (Bill) Smith, P.E.
Environmental Engineer

EWS/md

CC: Ernest Carlsen, DWR, Idaho Falls
George Spinner, S.E. District Health Dept., Paris

EQUAL OPPORTUNITY EMPLOYER



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

150 Shoup — Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

July 6, 1983

RE: Claim to a Water Right No. 11-4244 BENNINGTON WATER SYSTEM
Application for Permit No. 11-7317 "

News Examiner
P.O. Box 278
Montpelier, ID 83254

Gentlemen:

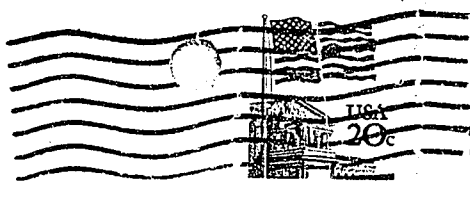
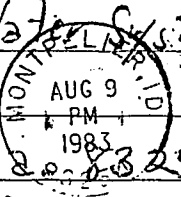
Would you please submit an affidavit of publication and certified bill in connection with the above referenced application(s). The legal notice was to have been published in your paper on June 9 and 16, 1983.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

Bennington Water System
Star Rt 2
Montpelier, Id 83254



RECEIVED

AUG 9 1983
Department of Water Resources



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 11-7317.

Name(s) of Permit Holder: Bennington Water System

Post Office Address: Star Rt. 2 83254

Montpelier Ida. Tel. No. _____

Source of Water: Spring NE 1/4, SE 1/4 Sec. 10 Twp. 12 S. R. 4E.

Extent of Use: ☐ Domestic 65 (number of households)
☐ Stockwater _____ (number and type of stock)
☐ Irrigation _____ (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.

8 Aug, 1983
Date

Bennington Water System
Montpelier Seely
Signature of Permit Holder

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: KCuhls APPLICATION NUMBER: 11 7317

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

Field check by: _____
Date: _____
Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☒ Idaho State Health Department. Copies sent by: CW Date: 6-6-83
☐ Idaho Fish and Game Department. _____
☐ Idaho Department of Lands. _____
☐ U.S. Bureau of Land Management. _____
☐ U.S. Forest Service. _____
☐ Other _____

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising. _____
Final date for protests: June 27, 1983 ✓
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 7/7/83 ✓
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? _____
5/29/83 Date of priority recommended.
✓ Special conditions of approval or cover letter. _____

By: _____ Date: _____
STATE OFFICE REVIEW: return receipt
5/20/83 04 Department of Water Resources
☐ See attached sheet for more information.
By: [Signature] Date: 7/25/83

RECEIVED
JUL 21 1983

CW

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

BENNINGTON WATER SYSTEM
STAR RT. 2
MONTPELIER, ID 83254

AUGUST 02, 1983

RE: PERMIT NO. 11-7317

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

WE HAVE ENCLOSED INSTRUCTIONS ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT. ALSO ENCLOSED FOR YOUR CONVENIENCE IS THE STATEMENT OF BENEFICIAL USE POSTCARD THAT MUST BE SUBMITTED WHEN YOUR PROJECT IS COMPLETED.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE



John V. Evans
Governor

A. Kenneth Dunn
Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

150 Shoup
Idaho Falls, Idaho 83401
(208) 525-7161

August 29, 1983

Bennington Water System
Star Route 2
Montpelier, ID 83254

RE: Permit #11-7317

Dear Permit Holder:

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,

HAROLD W. JONES
Sr. Resource Agent

HWJ:JK

4/86
RECEIVED

FEB 11 1987

Department of Water Resources
Eastern District Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EXAMINATION FEE INFORMATION

For Office Use Only
Fee Received 50.00
Date 2-11-87
Receipt # 4689
Receipt by: [Signature]
Sent to S.O.

RECEIVED

FEB 27 1987

1. Permit No. 11-7317

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE: of Water Resources

☒ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: Bennington Water System

3. Post Office Address: Star Rt. 2 Montpelier, Idaho
83254 Telephone No. _____

4. Source of Water: Spring

5. Extent of Use:

Domestic 62 (No. of households) Stockwater _____ (No. and type of stock)

Irrigation _____ (acres) Other/Remark _____

6. Total rate &/or volume for which proof is submitted 0.25 cfs _____ acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

August, 1978

8. Person to contact to accompany the department representative during the field examination:

Ted S. Crane
(Name)

Star Rt. 2. Montpelier, Idaho 83254 847-0341
(Address) (Telephone Number)

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

Date _____

Signature of Permit Holder (and title, if appropriate)

copy returned for file

APPROVED

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 11-07317

RECEIVED

APR 26 1995

Department of Water Resources

Date of Priority: May 24, 1983

Maximum Diversion Rate: 0.13 CFS
Maximum Diversion Volume: 23.5 AF

Comes now ^{ATTN:} ~~STAR RT-2~~ ALLYN PHELPS BENNINGTON WATER SYSTEM
128 S. MAIN BENNINGTON
MONTPELIER ID 83254

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the
State of Idaho No. 11-07317, and requests that the permit be changed as follows:

Source: SPRING

tributary to SINKS

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.13 CFS	7.8 AF
DOMESTIC	01/01 to 12/31	0.13 CFS	15.7 AF
	Totals	0.13 CFS	23.5 AF

LOCATION OF POINT(S) OF DIVERSION:

SENE, Sec. 10, Township 12S, Range 44E
BEAR LAKE County

PLACE OF USE: STOCKWATER

TWN RGE SEC

12S 44E	8	NESE		
	9	SWNE	SWNW	SENE
		NESW	NWSW	SWSW
		SESW	NWSE	SWSE

PLACE OF USE:

DOMESTIC, same as STOCKWATER use

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

Signed at Bennington Id., this 24 day of April, 1995.

Allyn H. Phelps
(Signature)

PAGE 2

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 11-07317

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = 50.00 Received by JW # C032541 Date 4-26-85

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 11-07317 with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Stockwater use is for miscellaneous stock.
6. Domestic use is for 70 homes.

Witness my hand this 2ND day of MAY, 1985.

Acting for

R. Keith Higginson, Director

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 11-07317

Priority: May 24, 1983

Maximum Diversion Rate:

0.13 CFS

Maximum Diversion Volume:

23.5 AF

This is to certify, that BENNINGTON WATER SYSTEM

STAR RT 2

MONTPELIER ID 83254

has complied with the terms and conditions

of the permit, issued pursuant to Application for Permit dated May 24, 1983; and has submitted Proof of Beneficial Use on August 9, 1983. An examination indicates that the works have a diversion capacity of 0.130 cfs of water from:

SPRING

tributary to SINKS

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.13 CFS	7.8 AF
DOMESTIC	01/01 to 12/31	0.13 CFS	15.7 AF
Totals		0.13 CFS	23.5 AF

LOCATION OF POINT(S) OF DIVERSION:

SENE, Sec. 10, Township 12S, Range 44E
BEAR LAKE County

PLACE OF USE: STOCKWATER

TWN RGE SEC

12S 44E 8

9

NESE

SWNE

NESW

SESW

SWNW

NWSW

NWSE

SENW

SWSW

SWSE

PLACE OF USE:

DOMESTIC, same as STOCKWATER use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
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PAGE 2

State of Idaho
Department of Water Resources

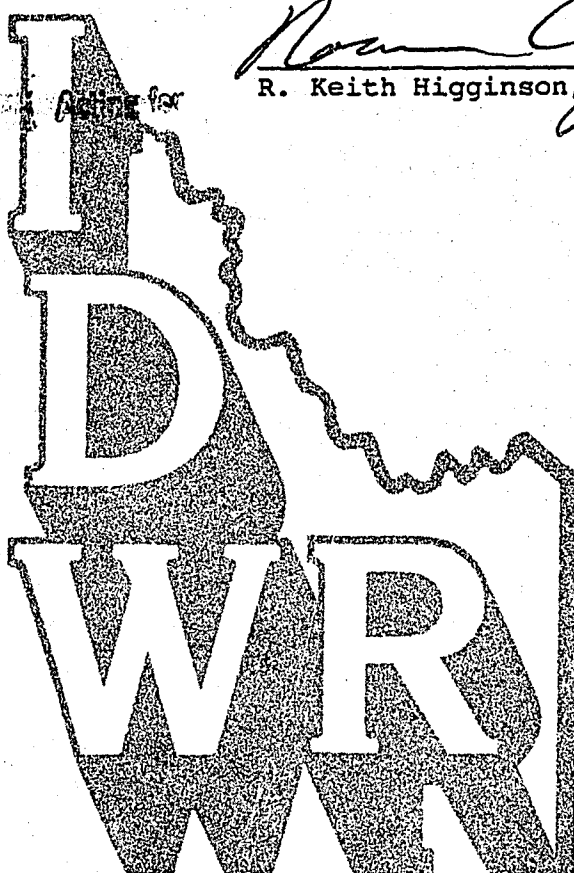
WATER RIGHT LICENSE

WATER RIGHT NO. 11-07317

CONDITIONS/REMARKS:

6. Domestic use is for 70 homes.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 2ND
day of MAY, 1995.



R. Keith Higginson
R. Keith Higginson, Director



John V. Evans
Governor

A. Kenneth Dunn
Director

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EASTERN REGION

DEC 10 1986

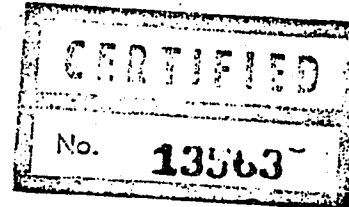
150 Shoup — Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

Department of Water Resources

December 8, 1986

11-7317
BENNINGTON WATER SYSTEM
STAR RT. 2
MONTPELIER, ID 83254

EXAMINATION FEE NOTICE



Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this Department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the Department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the Department, but you must within sixty (60) days of the date of this letter return to the Department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the Department to conduct the field examination, but you may change to another certified examiner.

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the Department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing of certified water right examiners will be available from this Department when examiners have been certified.

If your permitted use, in fact, has already been examined by the Department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the Department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

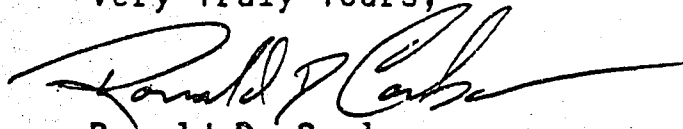
FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following Department office:

Eastern Region
Idaho Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83401
Phone: 525-7161

Very Truly Yours,


Ronald D. Carlson
Eastern Regional Manager

Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
MAR 30 1995
Department of Water Resources

A. GENERAL INFORMATION

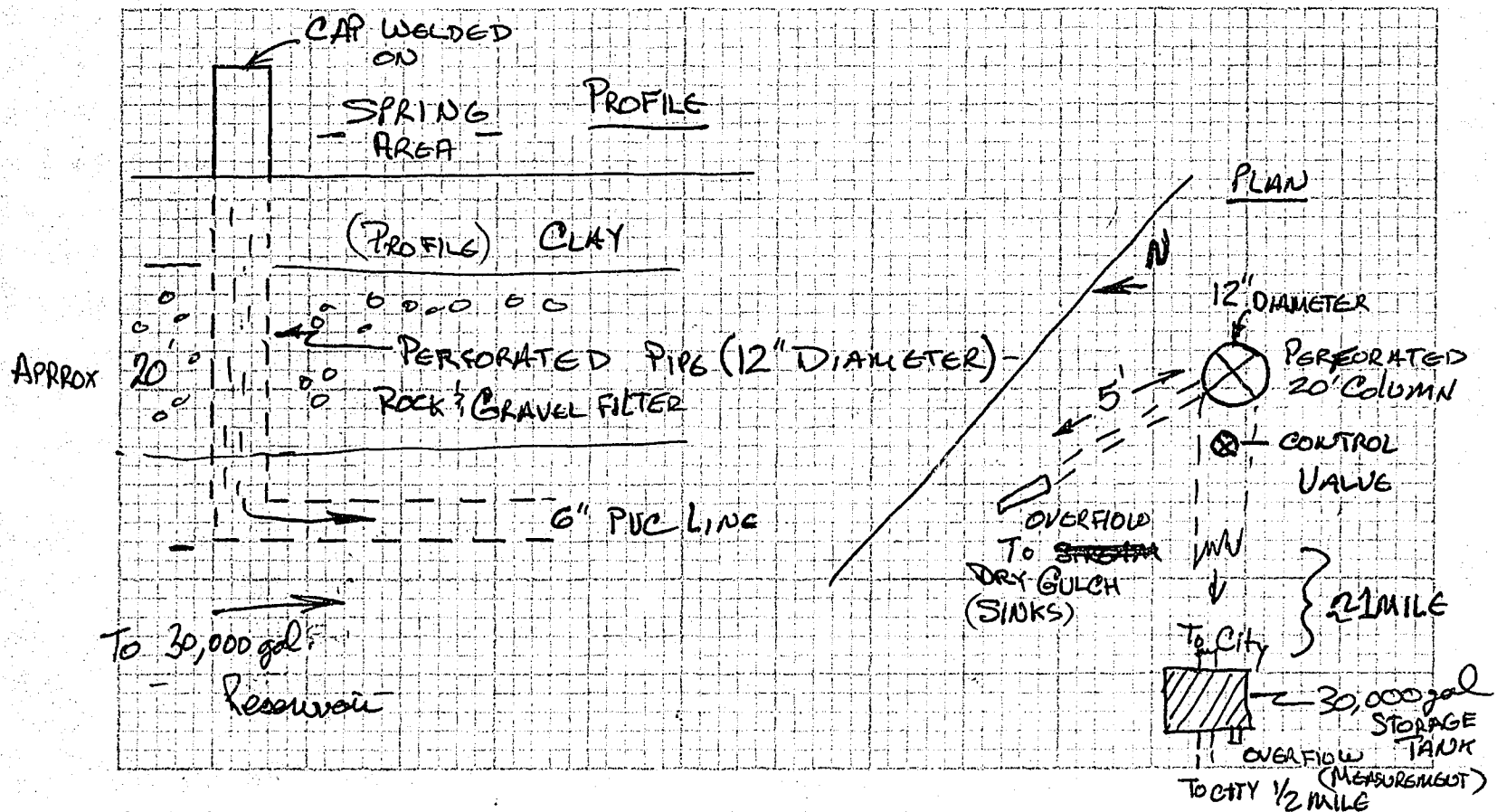
1. Owner: BENNINGTON WATER SYSTEM (CITY OF BENNINGTON) Permit No. 11-7317
Current Address: STAR RT. 2, MONTPELIER, ID. 83254 Phone No. 847-0341
2. Accompanied by: TED S. CRANE EXAM. DATE: OCT-15-1987
Address: STAR RT. 2, MONTPELIER, ID. 83254 Phone No. 847-0341
Relationship to Permit Holder: WATER SYSTEM Mgr.
3. Source: SPRING tributary to SINKS 8-11-1993 PEM

B. OVERLAP REVIEW

1. Other water rights with same place of use: NONE 11-04244, 11-04226
OVERLAP ANALYSIS ATTACHED ☐ Copies Attached
2. Other water rights with same point of diversion: NONE
☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. Diversion System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and place(s) of use (required).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater.)
☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).

System Description (continued)

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

THIS WATER SYSTEM SUPPLIES DOMESTIC WATER FOR RESIDENTS OF BENNINGTON MUNICIPALITY. THERE ARE APPROXIMATELY 70 ^{HOUSEHOLDS} ~~HOSEHOLDS~~ ON SYSTEM.

DEVELOPEMENT INCLUDES: A 12" DIAMETER WELL CASING WHICH IS BURIED VERTICALLY INTO SPRING, SUB AREA. THE COLUMN IS PERFORATED TO DRAIN SPRING INTO WATER DELIVERY SYSTEM. PIPE IS BURIED AN ESTIMATED 18'-20'. WATER FROM SPRING

☒ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

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

5. **Point(s) of Diversion:**

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SW	SE	NE	10	12S	44E	BEAR LAKE	ON SITE / USGS QUAD

6. **Place(s) of Use:**

Indicate Method of Determination ON SITE / USGS QUAD

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	
12S	44E	9									M	M	M	M	M	M	M		

W/ CITY LIMITS OF BENNINGTON

SEE ATTACHED LAND LIST

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Bucket/STOPWATCH	2.5gal					
Bucket					5 gall.	

2. Measurements:

5gal in 9.6 sec / 11.2 sec / 10.0 sec $\bar{x} = 10.27$
5gal / 10.27 sec / 60 sec / min = 29.21 gpm / 448.8 = 0.065 cfs.

6-28-88 @ 8:30 A.M.; 5 gal = 10 sec, 5 gal = 11 sec, 5 gal = 11 sec.

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

Bucket / STOPWATCH 0.065 cfs - MEASUREMENT TAKEN WHILE

2. Alternate Method for Checking Purposes:

IN-TOWN USE HIGH - ALLOW PERMITTED
AMOUNT OF 0.13 cfs

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N / _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5) / (7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation: N/A

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

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

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses: N/A for MUNICIPALITY.

H. REMARKS AND OVERLAP REVIEW ANALYSIS:

IS PIPED THROUGH 6" LINE TO A 30,000 gal. STORAGE TANK. OVERFLOW ~~ESCAPES THE RESERVOIR FACE~~ AND TANK THROUGH A 4" PIPE.

FROM THE TANK WATER IS DELIVERED TO THE MUNICIPALITY THROUGH DELIVERY LINES.

THE ONLY MEASUREMENT LOCATION POSSIBLE WAS AT THE TANK OVER FLOW. I MEASURED 0.065 cfs FLOWING OUT OF TANK. HOWEVER SYSTEM WAS DELIVERING WATER TO RESIDENTS AT TIME OF EXAM. EXPECT ~~FLOW OVER FLOW~~ TO INCREASE TO PERMITTED FLOW RATE OF 0.13 cfs IF USE WAS STOPPED.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
~~MUNICIPAL~~	1/1 12/31	0.13 cfs	
DOMESTIC	1/1 12/31	0.13	15.7
STOCKWATER	1/1 12/31	0.13	7.8
Totals: 0.13 cfs			23.5

2. Recommended Amendments

- ☒ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

J. AUTHENTICATION

Field Examiner's Name

Signature

Certification Date

Field Report Preparation Date

ERIC S. JERGER


Richard Kenon
 PAUL R. MEYER
 2-25-95
 CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

Landlist Attachment

[illegible]**Total Acres:**

Water Right Number: 11-07317 Date: 2/28/95

11-07317

VOLUME CALCULATIONS:

AS PER RECOMMENDATIONS OF ERIC VERNER, Q IS 0.13 CFS.

DOMESTIC AFA - ASSUME 4HR DIVERSION/DAY

$$\frac{0.13 \text{ CFS} \times 365 \text{ DAYS/YR} \times 1.9835 \times 4 \text{ HR}}{24 \text{ HR/DAY}} = \underline{15.69 \text{ AFA}}$$

STOCKWATER AFA - ASSUME 2HR DIVERSION/DAY

$$\frac{0.13 \text{ CFS} \times 365 \text{ DAYS/YR} \times 1.9835 \times 2 \text{ HR}}{24 \text{ HR/DAY}} = \underline{7.84 \text{ AFA}}$$

$$\text{AFA}_T = \text{DOMESTIC AFA} + \text{STOCKWATER AFA} = \underline{23.53 \text{ AFA}}$$

11-07317

50 SHEETS
22-141 100 SHEETS
22-142 200 SHEETS22-141
22-142
22-144

11-07317

Overlap Analysis:

TWO STATUTORY CLAIMS, 11-04226 & 11-04244, COVER THE SAME PLACE OF USE. CLAIM 11-04226 COVER IRRIGATION OF LOTS INSIDE BOUNDARY OF BENNINGTON TOWNSHIP AS WELL AS SEVERAL ACRES OF CROPLAND SURROUNDING BENNINGTON. CLAIM 11-04244 COVERS DOMESTIC (AND STOCK?) USES WITHIN TOWNSHIP. ITS SYSTEM TIES INTO 11-07317 IN THE SWDQ, 10-125-44E AND DELIVERS THRU COMMON PIPELINE. AS BOTH OF THE ABOVE 'RIGHTS' ARE STATUTORY CLAIMS, NEITHER IS CONSIDERED IN FLOW AND VOLUME CALCULATIONS OF 11-07317.

HOWEVER, AS 11-04226 ADDRESSES IRRIGATION OF LAND WITHIN BENNINGTON, AND RECOMMENDED Q FOR 11-07317 IS WOEFULLY INADEQUATE TO PROVIDE IRRIGATION FOUNT WITHIN TOWNSHIP, NO IRRIGATION COMPONENT IS RECOMMENDED FOR 11-07317. IT IS ASSUMED THAT AUXILIARY LAWN IRRIGATION OF UP TO $\frac{1}{2}$ ACRE PER HOME IS COVERED UNDER DOMESTIC USE AND IS ONLY USED AS SUFFICIENT WATER IS AVAILABLE.

PAUL R. MEYER


11-07317

22-141 50 SHEETS
22-142 100 SHEETS
22-144 200 SHEETS

11-07317

ADDITIONAL REMARKS:

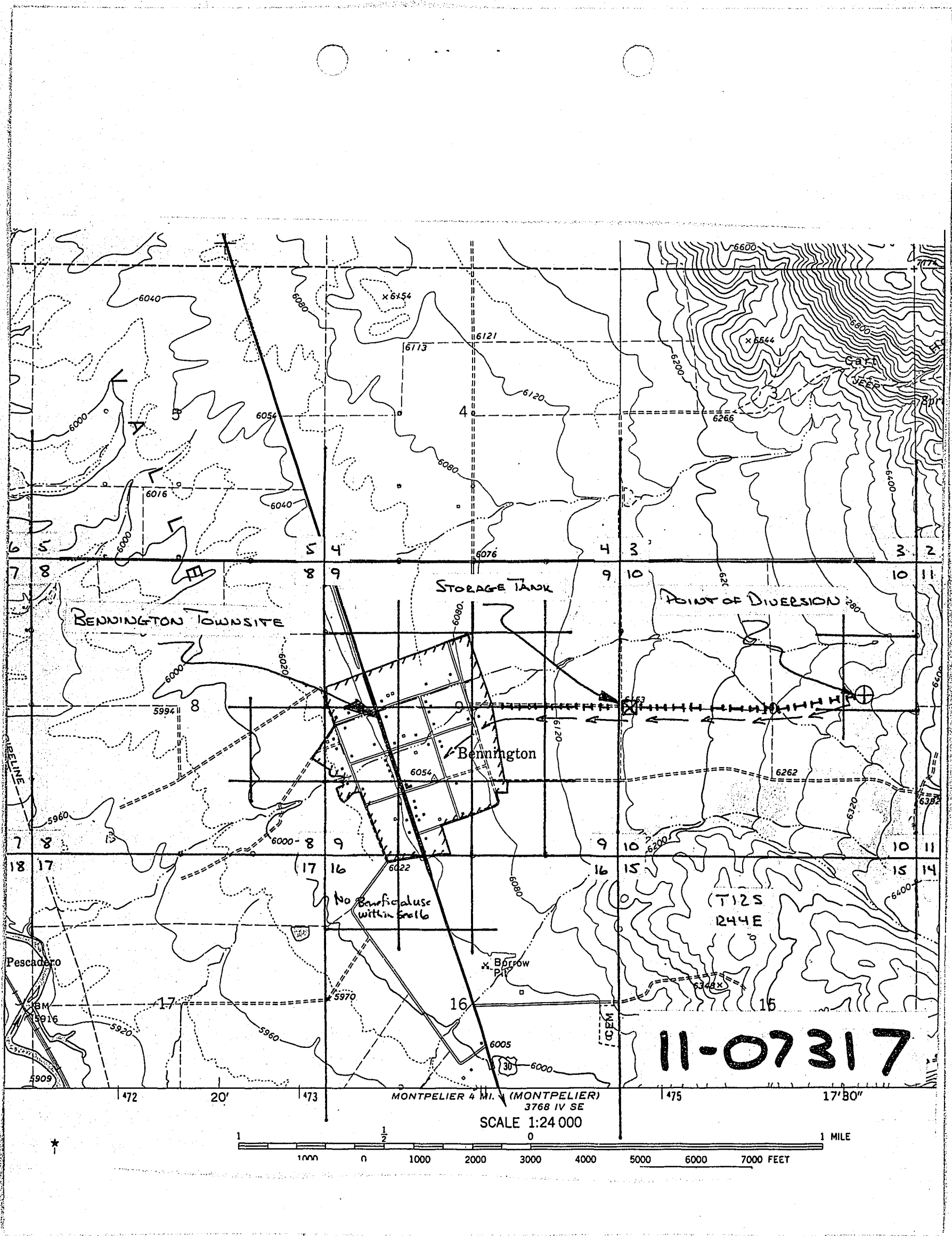
PLEASE NOTE THAT THE MAPS AND AERIAL PHOTO INCLUDE
A VERY SMALL PORTION OF THE N $\frac{1}{2}$ NW $\frac{1}{4}$ 16-12S-44E. AS
THERE IS NO IRRIGATION COMPONENT IN THIS RECOMMEND-
ATION, IT IS OMITTED FROM THE LISTED PLACE OF USE FOR
DOMESTIC AND STOCK USES.

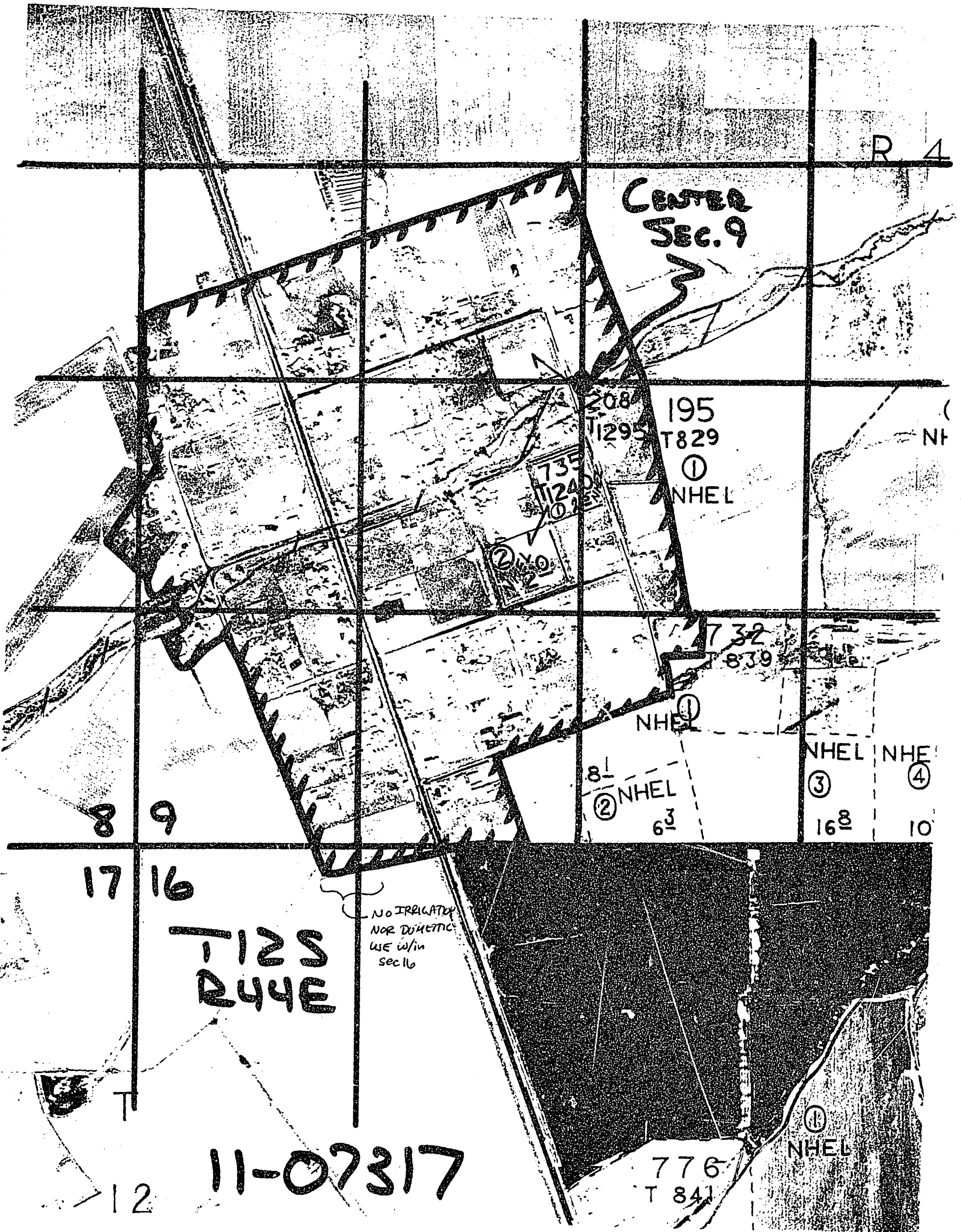
DEM

22-141 50 SHEETS
22-142 100 SHEETS
22-144 200 SHEETS



11-07317





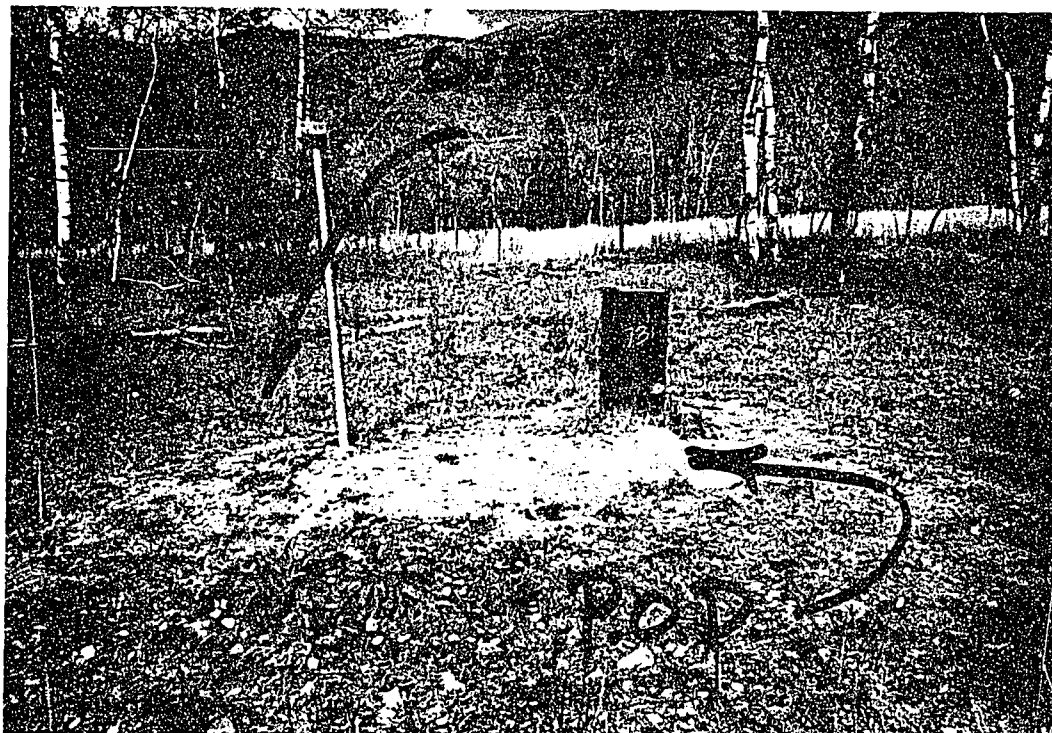


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

150 Shoup — Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161



11-7317

***FOR CLARITY
OF ANY
PHOTOGRAPHS
MICROFILMED,
SEE FILE.***

MEMORANDUM

TO: File 11-07317 / Bennington Water System
FROM: Brenda Chapman
DATE: March 31, 1995
RE: Recommendation Adjustment(s)

=====

The final licensing recommendation for the above referenced water right is based on the information below:

H. REMARKS

The examiner has recommended that this municipal right be changed to domestic and stockwater. The system can not produce enough to satisfy lawn and other irrigation needs. Also, in order for a community to have municipal rights, it must be incorporated. Bennington appears to be very small and not likely to be incorporated. I checked with representatives of the Secretary of State's Office and the Association of Idaho Cities and both stated that Bennington was not incorporated. For that reason, the change in the nature of use is acceptable.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

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APR 13 1995

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Department of Water Resources April 7, 1995

BENNINGTON WATER SYSTEM
STAR RT 2
MONTPELIER ID 83254

RE: WATER RIGHT NO. 11-07317

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the point(s) of diversion. Please review carefully and if you concur, sign the amendment and return with the \$50.00 filing fee within 14 days.

The last page of the Application for Amendment form contains a list of CONDITIONS/REMARKS proposed for the license when it is issued. These conditions/remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208) 327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

MEMORANDUM

DATE: April 19, 1995
TO: FILE NO. 11-07317
FROM: ROBERTA LOVEALL
SUBJECT: ADDRESS CHANGE

=====

On April 18, 1995 I spoke with T. Scott Crane concerning the returned application for permit by the post office. He informed me that Ted S Crane, his father, is now deceased and so he no longer is the contact for the Bennington Water System as stated on the permit. He gave me the name and number of an Allyn Phelps who he believes handles that now.

On April 19, 1995, I spoke with Mr. Phelps on the telephone and he said that any correspondence concerning the Bennington Water System should be sent to him at the following address.

128 S. Main Bennington/
Montpelier, ID 83254



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 19, 1995

BENNINGTON WATER SYSTEM
ATTN: ALLYN PHELPS
128 S MAIN BENNINGTON
MONTPELIER ID 83254

RE: WATER RIGHT NO. 11-07317

Dear Water Right Holder(s):

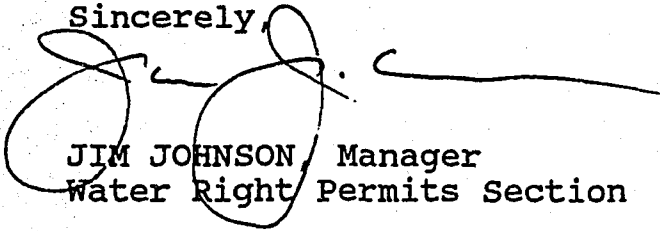
The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the point(s) of diversion. Please review carefully and if you concur, sign the amendment and return with the \$50.00 filing fee within 14 days.

The last page of the Application for Amendment form contains a list of CONDITIONS/REMARKS proposed for the license when it is issued. These conditions/remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208) 327-7946.

Sincerely,


JIM JOHNSON, Manager
Water Right Permits Section

JJ:rl

enclosure



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 3, 1995

BENNINGTON WATER SYSTEM
ATTN: ALLYN PHELPS
128 S MAIL BENNINGTON
MONTPELIER ID 83254

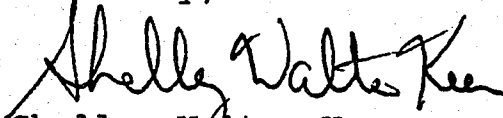
RE: WATER RIGHT NO. 11-07317

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved Application for Amendment.

Should you have any questions regarding these documents, please contact me.

Sincerely,


Shelley Walter Keen
Water Rights Supervisor

SWK:rl

Enc.