

Identification No. 13 4006

Claim No. _____

Map No. _____

**STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION**

CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

(Please refer to the instructions on the back of this form)

1. Name of claimant Calvin L. Bennett
post office address Thatcher, Idaho 83283

2. The point of diversion is in NE $\frac{1}{4}$ of SW $\frac{1}{4}$ Section 30 Township 11S
Range 41E B.M. located on Trout Creek
(name of source)

tributary to Bear River in Caribou County.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

a. Date of priority claimed:

January 13, 1965 amount: 1.6 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed 1.6 c.f.s. or _____ acre feet.

b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use irrigation period of use from May 1 to October 31 (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive).

4. Description of diverting works: Screening box; 30 hp electric pump & motor.

a. Surface water diversion dam and/or headgate: material is composed of concrete (screening box)

_____ ; length is 8 feet; height is 2 feet;
width at bottom is 3 feet; width at top is 3 feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

b. Underground water diverting works: is well flowing or pumped _____ ; depth of well is _____ feet; diameter of well is _____ inches; type of pump is _____
capacity of pump is _____ g.p.m.; name and address of well driller is _____
_____ ;

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attach well logs if available; has there been any change in pump or motor since well was first completed _____; if so, give dates and explain _____

c. Conveying works: length of ditch to place of use is _____ feet; width of ditch at top is _____ feet; width of bottom of ditch is _____ feet; depth of water is _____ feet; grade of ditch per 1000 feet is _____ feet; material through which ditch passes is _____; maximum length of pipe line to first place of use is 200 feet; diameter of pipe line is 8 inches; type of pipe Steel; grade of pipe per 1000 feet is _____

Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible _____

d. If water is stored: name of reservoir _____;
total capacity of reservoir is _____ acre feet; active capacity of reservoir is _____ acre feet;
year construction commenced _____; year completed _____; date first used _____
period of storage is from _____ to _____; is reservoir drained each year _____;
is reservoir on or off stream _____ explain _____

if feeder canal is used give maximum carrying capacity_____c.f.s.; if reservoir is off stream, describe location of reservoir by 40-acre subdivisions_____

has there been any enlargement of the reservoir since it was first built_____, if so, give dates and describe_____

5. a. Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres:

[illegible]

Total number of acres to be irrigated 80

Explain any significant increase in area irrigated since first use, give dates and acreages if known _____

b. Do you get water through a ditch owned by several users? Yes If yes, give the name of the ditch unnamed. The other users and their respective interests in the ditch are (if known) Marvin Prescott, Clark Mickelson

6. Where water is used for stock watering, give number of each kind of stock watered _____

7. Where water is used for domestic or municipal purposes give number of families served _____
name of town supplied _____

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use, and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible, giving dates and quantities _____

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation _____

State of Idaho

County of Caribou } ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Sworn to before me this 19th day of June, 1973.

Calvin F. Bennett
Claimant

Deane H. Rice
Notary Public

Residing at Soda Springs, Idaho

My commission expires 7-25-73

For Department Use Only

Received by <u>mb</u> Date <u>6-20-73</u>	Exception filed by: _____	Forwarded to claimant by: _____	Date _____
Prelim. check by <u>NCY</u> Date <u>6/20/73</u>	<u>N. A.</u>	_____	_____
Fee received by <u>mb</u> Date <u>6/20/73</u> Fee \$ <u>10.00</u>	_____	_____	_____
Approved for publication by <u>NCY</u> <u>6/22/73</u>	_____	_____	_____
Published in <u>Caribou Hunter News</u> Dates <u>6/28 & 7/5/73</u>	_____	_____	_____
Publication app'd <u>NCY</u> <u>7/16/73</u>	_____	_____	_____

13 4000

RECEIVED

JUL 10 1973

Department of Water Administration
Eastern District Office

Affidavit of Publication

County of Caribou }
State of Idaho } ss.

V. E. Lansberry

being first duly sworn on his
oath, states:

That he is publisher
of the Caribou County Sun, a
newspaper of general circula-
tion in Caribou County, Idaho,
published weekly at Soda
Springs in said County, that said
newspaper has been pub-
lished in said County uninterr-
ruptedly and continuously for
over seventy-eight consecutive
weeks, prior to the first publi-
cation of the annexed notice or
advertisement;

That the annexed notice was
published as per clipping at-
tached in the regular and entire
edition of said newspaper and
not in any supplement thereof

for two successive weekly
issues thereof, the date of the
first publication being the

28th day of
June, 19 73

The date of the last publication

being the 5th day of
July, 19 73

V. E. Lansberry
Subscribed and sworn to be-

fore me this 6th day
of July, 19 73

Elaine S. Johnson
Notary Public, residing
at Soda Springs, Idaho
(SEAL)

My Commission expires the
1st day of November
19 74

mp NOTICE OF CLAIM TO
A WATER RIGHT
No. 13-4006
Notice is hereby given that
Calvin L. Bennett, Thatcher,
Idaho, has filed a claim to a
water right established by di-
version and application to bene-
ficial use of 1.6 cubic feet per
second of water from Trout
Creek tributary to Bear River
with point of diversion in the
NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 30, T. 11S, R.
41E, B.M., Caribou County.
The water is claimed to be
used from May 1 to Oct. 31 for
the irrigation of 80 acres, with
a priority of Jan. 13, 1965; the
place of use is within the
N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 30, T. 11S, R.
41E, B.M.
Any exception to this claim
of water right may be filed
with the Idaho Department of
Water Administration, 240
South Holmes, Idaho Falls,
Idaho, 83401.
R. KEITH HIGGINSON
Director
Published in the Caribou
County Sun, Soda Springs, Ida-
ho, on June 28 and July 5, 1973.

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June 20, 1973

Calvin L. Bennett
Thatcher,
Idaho 83283

Dear Mr. Bennett:

Attached herewith is departmental receipt No. 10237 in the amount of \$10.00 for your claim to a water right which was received in this office under the above date.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:mb

Attachment

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NOTICE OF CLAIM TO A WATER RIGHT

NO. 13-4006

Notice is hereby given that Calvin L. Bennett

Thatcher, Idaho

has filed a claim to a water right established by diversion and application
to beneficial use of 1.6 cubic feet per second ~~above the open channel~~
of water from Trout Creek tributary to Bear River

with point of diversion in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 30, T. 11S, R. 41E, B.M.,
Caribou County.

The water is claimed to be used from May 1 to Oct. 31 for the
irrigation of 80 acres,
with a priority of Jan. 13, 1965;

the place of use is within the N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 30, T. 11S, R. 41E, B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Administration, 240 South Holmes, Idaho Falls, Idaho,
83401.

R. KEITH HIGGINSON

Director

Published in the Caribou County Sun, Soda Springs, Idaho

on June 28 and July 5, 1973.

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June 22, 1973

Re: Application for Permit No. 13-4006 - Calvin L. Bennett

Caribou County Sun
P.O. Box 815
Soda Springs, ID 83276

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:mb

Enc: Legal notice

Bill submitted 7-10-73 by mb

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ml

**NOTICE OF CLAIM TO
A WATER RIGHT
No. 13-4006**

Notice is hereby given that Calvin L. Bennett, Thatcher, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 1.6 cubic feet per second of water from Trout Creek tributary to Bear River with point of diversion in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 30, T. 11S, R. 41E, B.M., Caribou County.

The water is claimed to be used from May 1 to Oct. 31 for the irrigation of 80 acres, with a priority of Jan. 13, 1965; the place of use is within the N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 30, T. 11S, R. 41E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, 240 South Holmes, Idaho Falls, Idaho, 83401.

R. KEITH HIGGINSON
Director

Published in the Caribou County Sun, Soda Springs, Idaho, on June 28 and July 5, 1973.

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July 16, 1973

Re: Claim to a Water Right No. 13-4006

Mr. Calvin L. Bennett
Thatcher,
Idaho 83283

Dear Mr. Bennett:

The Department of Water Administration has completed the processing of your claim to a water right and no further action is authorized under Sections 42-225a and 42-225b, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of your claim does not, in itself, guarantee you a water right; it only records and preserves the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing, for your records, a copy of your claim. If you have any questions or if we can be of further assistance, please feel free to call upon us.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:mb

Enc: Copy of claim

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