

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A29-04322
Date Received: 4/09/1990
Receipt No: 15012950
Received By: AGS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BENNETT FARMS 208-897-5791
Address: 3590 E. RICHARDS RD.
DOWNEY, ID 83234

2. Date of Priority: APR 14, 1913

3. Source: SPRINGS Trib. to: PECK CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	37E	5	SW		NE		BANNOCK

5. Description of diverting works:
DITCH TO FLOOD IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.100		

7. Total Quantity Appropriated is:
0.100 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 12.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	37E	5	SW	NE		IRR	5.0
Section Acres							5.0

10. Place of Use: Continued

Total Acres 5.0

11. Place of use in counties: BANNOCK

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
PORTNEUF-MARSH VALLEY SHARES

14. Remarks:
FARMS C/O KEITH BENNETT

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s):

Keith Bennett

Date:

4/9/90

Date:

State of Idaho)

County of

Bonneville

) SS.

Subscribed and sworn (or affirmed) before me this *9th* day

of

Apr

19 *90*

Betty J. Thompson
Notary Public

Seal

Residing at *BETTY J. THOMPSON, NOTARY PUBLIC*

My Commission *Expires*

RESIDING AT FAIRFAX, ILLS, IDAHO
MY COMMISSION EXPIRES 6-30-94

A29.0000

J18A
R810

MICROFILM
Mark Bennett
NOV 13 1992

Log for claim A29-04322

Spatial Dynamics TWB

5/26/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
11s37e	5	SWNE	5	3.9	
Totals:			5	3.9	

 **Spatial
DYNAMICS**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right

Notice is hereby given that Bennett Farms c/o Keith Bennett
(Name of Claimant)

Box 59, Downey, Idaho 83234
(Mailing Address)

Telephone No. 897-5791

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) April 14, 1913

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Springs tributary to Peck Creek

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive) (Mo., Day)	
Quantity	0.10 cfs	Use Irrigation	Period of Use From	4-1 to 11-1
Quantity		Use	Period of Use From	to
Quantity		Use	Period of Use From	to
Quantity		Use	Period of Use From	to
Quantity		Use	Period of Use From	to

- (4) 0.10 cfs TOTAL QUANTITY USED.
(cfs, af)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

SW 1/4 NE 1/4, Sec. 5, Twp. 11S Rge. 37E B.M., County of Bannock

Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Ditch from stream to flood irrigation.

- (6) A) Describe location of use by listing number of irrigated acres within each 40 acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	
11S	37E	5			5														5

No. of acres 5

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization:

Received by: SM Date: 4-6-83 Exception filed by: _____ Forwarded to: _____ Date: _____
 Prelim. check by: HWS Date: 4-7-83 _____ claimant by: _____
 \$30.00 fee received by: BP Date: 4-6-83 28005
 Published in: J. of State Journal
 Date: 4/21/83 6/28/83

AJ5809NP
No. A29-04322

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/24/00
PAGE: 117

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BENNETT FARMS 3590 E RICHARDS RD DOWNEY ID 83234 (208) 897-5791	04/14/93	IRRIGATION	04-01 11-01	0.100 CFS	
TOTAL DIVERSION:					0.100 CFS	
CONSUMPTIVE USE:						12.50 AFA

Water Source: SPRINGS

Tributary to: PECK CREEK

Stage: STATUTORY CLAIM

Point(s) of Diversion: T1S R37E S05 SWNE

BANNOCK County

Place of Use Legal Description for: IRRIGATION

NE				NW				SW				SE				
NESE	NWSE	SWSE	SESE	NESE	NWSE	SWSE	SESE	NESE	NWSE	SWSE	SESE	NESE	NWSE	SWSE	SESE	SUM
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	
T1S	R37E	S	: 05	:	:	:	:	:	:	:	:	:	:	:	:	5.0
TOTAL ACRES															5.0	

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: PORTNEUF-MARSH VALLEY SHARES

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

29-10808 A29-04322 A29-10808

Other Water Rights Listing Overlapping Place(s) of Use:

A29-00052 A29-00053 A29-00589 A29-04060 A29-04322

Remarks: GEN FARMS C/O KEITH BENNETT

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 04/11/90 JONES 07/20/94 THOMPSON 03/29/95 POST-SD

CLAIM NO. A29-04322

AFFIDAVIT

I am one of the previous owners of this property. The water
was put to beneficial use in 1913 and has been used beneficially
since that time.

J. L. Dahlke
Signature of affiant

3-16-95
Date

State of Idaho/or)
County of *Bannock*) SS.

Subscribed and sworn (or affirmed) before me this *16th* day
of *March* 19 *95*

SEAL

Notary Public *Barbara S. Smith*
Residing at *1000 MICROFILM*
My Commission Expires *NOV 03 1997*

DATE: *2/28/94
PAGE: 2

Stage: STATUTORY CLAIM

SAVONCK COUNTY

				NE				NW				SW				SE									
T	R	S	:	NENE	NNNE	SWNE	SENE	:	NENW	NNNW	SWNW	SENW	:	NESW	NNSW	SWSW	SESW	:	NESE	NNSE	SWSE	SESE	:		
			:	Lt Ac	Lt Ac	Lt Ac	Lt Ac	:	Lt Ac	Lt Ac	Lt Ac	Lt Ac	:	Lt Ac	Lt Ac	Lt Ac	Lt Ac	:	Lt Ac	Lt Ac	Lt Ac	Lt Ac	:	SW	
**S	37E	5	:			05		:					:					:					:	5.0	
																							TOTAL ACRES		5.0

Other Rights: DORTMOUTH-WARSH VALLEY SQUARES

Verified Date:

Field Inspection Flag:
Presumption Flag:

RECEIVED
NOV 13 1886