

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: A29-04323
Date Received: 4/09/1990
Receipt No: 82956
Received By: AGO

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: UNNAMED STREAM 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	SE			BANNOCK

5. Description of diverting works:
DITCHES & SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.700		

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

8. Total consumptive use is 232.5 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	NE	SW		IRR	20.0
			SE	SW		IRR	16.0
			NW	SE		IRR	17.0

A29-04323

Page 1

Date: 04/09/90

MICROFILMED
NOV 13 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
11S	37E	5	SW SE		IRR	40.0
Section Acres						93.0
Total Acres						93.0

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 CANAL

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: _____

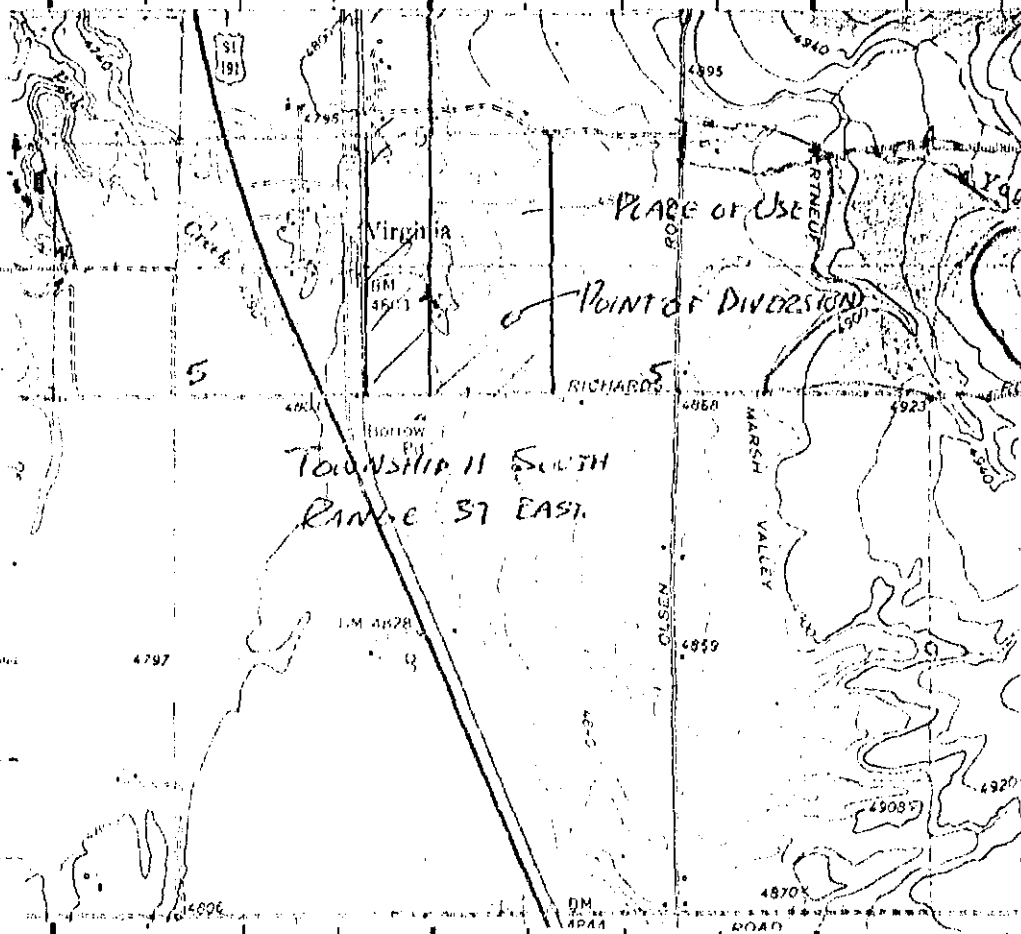
State of Idaho)
County of *Bonneville*) SS.

Subscribed and sworn (or affirmed) before me this *9th* day
of *Apr* 19 *90*

Seal

Betty J. Thompson
Notary Public
Residing at BETTY J. THOMPSON, NOTARY PUBLIC
RESIDING AT HAZARD FALLS, IDAHO
My Commission Expires 6-30-94

A 29-04323



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

)
) ss.

County of Blaine

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 affiant's knowledge.

MICROFILMED

NOV 13 1992

Keith Bennett
(Claimant)

Sworn to before me this 10 day of April

19 92

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A29-04323	11S	37E	5		SW	SE			BANNOCK		
OTHER AJ CLAIMS WITH SAME AJ POD								WR RECORDS IN SAME 40 ACRE TRACT			
A PREFIX				R PREFIX							
A29-11173				29-11173				29-02160 29-02319			

SOURCE: UNNAMED STREAM

TRIB: PECK CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
29-04323	11S	37E	5		SW	SE			BANNOCK		
OTHER WR RECORDS WITH SAME WR POD								AJ CLAIMS IN SAME 40 ACRE TRACT			
A PREFIX				R PREFIX							
29-02160 29-02319				A29-11173				29-11173			

SOURCE: UNNAMED STREAM

TRIB: PECK CREEK

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM _____) NAME OF EXAMINER _____ Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: _____

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED ()

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
11S	37E	5		SW	SE			BANNOCK		
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: UNNAMED STREAM

TRIB: PECK CREEK

REVIEWED BY: _____ DATE: _____

SYSTEM DESCRIPTION: DESCRIBED BELOW (), SEE LICENSE FILE (), OR SEE ATTACHMENT ()

A. ROOT WATER RIGHT NUMBERS: A29-04323

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
11S	37E	5	NE	SW		BENNETT FARMS	A29-04323 / 20.0	29-04323 / 15.0	26.0		
			NE	SW		PORTNEUF MARSH VALLEY CANAL	COA29-00589 / 20.0	- /			
			NE	SW		PORTNEUF MARSH VALLEY CANAL	COA29-04060 / 20.0	29-04060 /			
			NE	SW		BRADY, DEE JAY	A29-11645 /	- /			
			NE	SW		BRADY, KAREN L	A29-12180 /	- /			
			NE	SW		BRADY, DEE JAY	29-11645 /	- /			
			NE	SW		PORTNEUF MARSH VALLEY CANAL	COA29-00052 / 20.0	- /			
			NE	SW		PORTNEUF MARSH VALLEY CANAL	COA29-00053 / 20.0	- /			
			NE	SW		BRADY, KAREN L	29-12180 /	- /			
			NE	SW		POYNTER, LOREN O.		29-02160 / 19.0			
11S	37E	5	SE	SW		BENNETT FARMS	A29-04323 / 16.0	29-04323 / 16.0	26.0		
			SE	SW		PORTNEUF MARSH VALLEY CANAL	COA29-00589 / 27.0	- /			
			SE	SW		PORTNEUF MARSH VALLEY CANAL	COA29-04060 / 27.0	29-04060 /			
			SE	SW		PARRIS, DERYL G	A29-11042 /	- /			
			SE	SW		PORTNEUF MARSH VALLEY CANAL	COA29-00052 / 27.0	- /			
			SE	SW		PORTNEUF MARSH VALLEY CANAL	COA29-00053 / 27.0	- /			
			SE	SW		PARRIS, ZOLA J	A29-04280 / 5.0	29-04280 / 5.0			
			SE	SW		PARRIS, DERYL G	29-11042 /	- /			
11S	37E	5	NW	SE		BENNETT FARMS	A29-04323 / 17.0	29-04323 / 24.0	39.0		
			NW	SE		PORTNEUF MARSH VALLEY CANAL	COA29-00589 / 30.0	- /			
			NW	SE		PORTNEUF MARSH VALLEY CANAL	COA29-00052 / 30.0	- /			
			NW	SE		PORTNEUF MARSH VALLEY CANAL	COA29-04060 / 30.0	29-04060 /			
			NW	SE		PORTNEUF MARSH VALLEY CANAL	COA29-00053 / 30.0	- /			
11S	37E	5	SW	SE		BENNETT FARMS	A29-04323 / 40.0	29-04323 / 40.0	40.0		40.0
			SW	SE		PORTNEUF MARSH VALLEY CANAL	COA29-00589 / 40.0	- /			
			SW	SE		PORTNEUF MARSH VALLEY CANAL	COA29-00052 / 40.0	- /			
			SW	SE		PORTNEUF MARSH VALLEY CANAL	COA29-04060 / 40.0	29-04060 /			
			SW	SE		BENNETT, KEITH	A29-11173 /	- /			
			SW	SE		PORTNEUF MARSH VALLEY CANAL	COA29-00053 / 40.0	- /			
			SW	SE		BENNETT, KEITH	29-11173 /	- /			

ADDITIONAL POU FOUND

TOTAL ACRES A29-04323 93.00 95.00 131.00

POU COUNTY: SANVOCK

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A29-04323	UNNAMED STREAM	BENNETT FARMS	1.700	0.018		
A29-00052	PORTNEUF RIVER	PORTNEUF MARSH VALLEY CANAL CO	176.850	0.034		
A29-00053	TOPONCE CREEK	PORTNEUF MARSH VALLEY CANAL CO	164.430	0.032		
A29-00589	PORTNEUF RIVER	PORTNEUF MARSH VALLEY CANAL CO			16410.00	3.23
A29-04060	TOPONCE CREEK					
A29-04060	PORTNEUF RIVER	PORTNEUF MARSH VALLEY CANAL CO			21834.00	4.30
A29-04280	UNNAMED STREAM	PARRIS, ZOLA J	0.170	0.034		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A29-11645	DOMESTIC	BRADY, DEE JAY	FROM 01-01 TO 12-31	0.060 CFS	
A29-11645	STOCKWATER	BRADY, DEE JAY	FROM 01-01 TO 12-31	0.020 CFS	
A29-12180	DOMESTIC	BRADY, KAREN L	FROM 01-01 TO 12-31	0.030 CFS	
A29-12180	STOCKWATER	BRADY, KAREN L	FROM 01-01 TO 12-31	0.020 CFS	
29-11645	DOMESTIC	BRADY, DEE JAY	FROM 01-01 TO 12-31	0.060 CFS	
29-11645	STOCKWATER	BRADY, DEE JAY	FROM 01-01 TO 12-31	0.020 CFS	
29-12180	DOMESTIC	BRADY, KAREN L	FROM 01-01 TO 12-31	0.030 CFS	
29-12180	STOCKWATER	BRADY, KAREN L	FROM 01-01 TO 12-31	0.020 CFS	
A29-11042	DOMESTIC	PARRIS, DERYL G	FROM 01-01 TO 12-31	0.040 CFS	
A29-04280	STOCKWATER	PARRIS, ZOLA J	FROM 01-01 TO 12-31	0.020 CFS	
29-11042	DOMESTIC	PARRIS, DERYL G	FROM 01-01 TO 12-31	0.040 CFS	
A29-11173	DOMESTIC	BENNETT, KEITH	FROM 01-01 TO 12-31	0.040 CFS	
29-11173	DOMESTIC	BENNETT, KEITH	FROM 01-01 TO 12-31	0.040 CFS	

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: PORTNEUF-MARSH VALLEY CANAL

Log for claim A29-04323

Spatial Dynamics TWB

5/26/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
11s37e	5	NE SW	20	21	
11s37e	5	SE SW	16	20	
11s37e	5	NWSE	17	25	
11s37e	5	SWSE	40	40	
Totals:			93	106	

 **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 Telephone No. 897-5791
(Mailing Address) (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)
Stream 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)	(Mo., Day)
Quantity	<u>1.7 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>4-1</u>	To <u>11-1</u>
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)	<u>1.7 cfs</u>	TOTAL QUANTITY USED.		
	(cfs, af)			

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SW 1/4 SE 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. Ditches to pump to sprinkler system.

(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									15			16			24	40		100

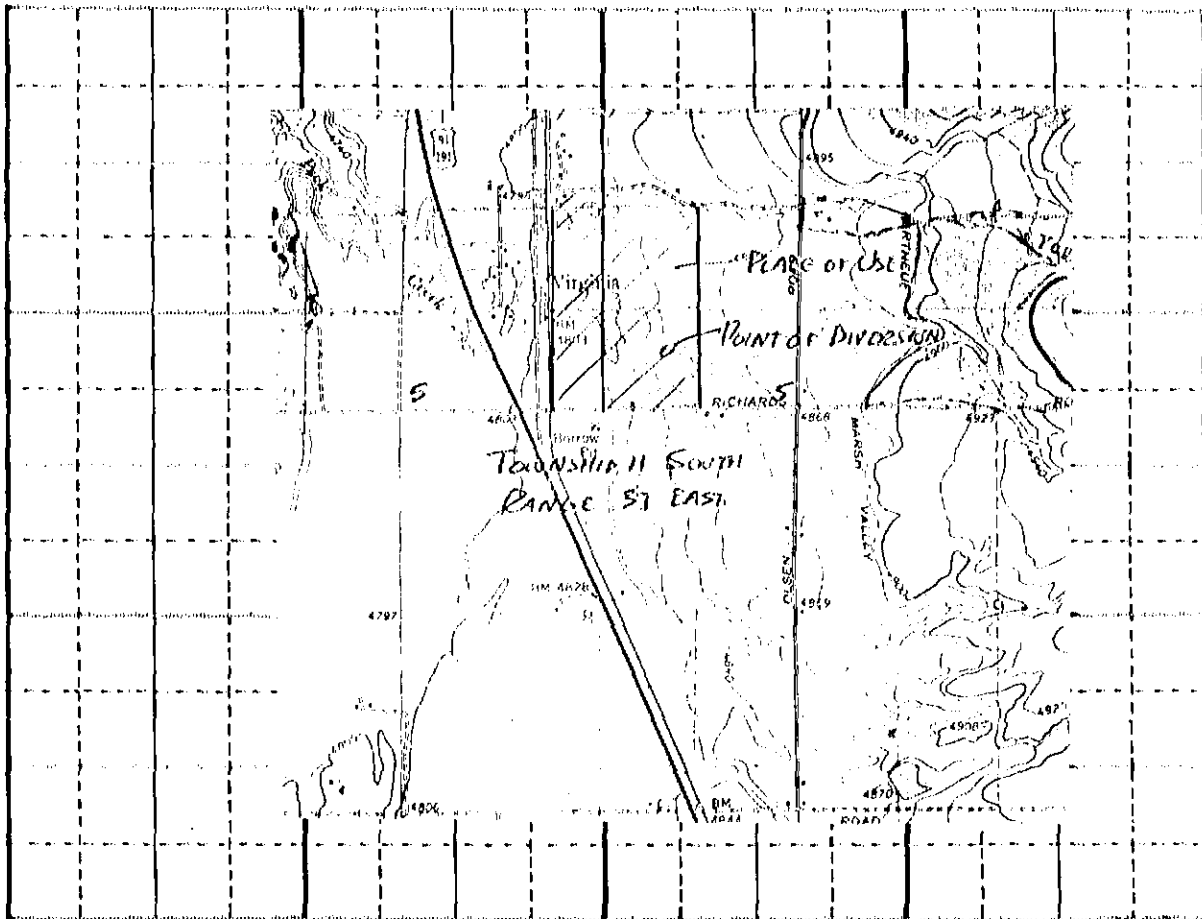
No. of acres 100

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:

(8) Remarks



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Bannock) 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 affiant's knowledge.

Sworn to before me this 6th day of April

Keith Bennett
(Claimant)

19 83

Callum Wray
Notary Public
Residing at Idaho Falls

My commission expires 6-15-85

FOR DEPARTMENT USE ONLY

Received by SM Date 4-6-83 Exception filed by: _____ Date _____
Prelim. check by HWD Date 4-7-83
\$30.00 fee received by BP Date 4-6-83 #28005
Published in Idaho State Journal
Dates 4/21 & 4/28/83

Forwarded to
claimant by: _____

DATE: 04/24/00
PAGE: 118

Stage: STATUTORY CLAIM

SANNOCK County

55

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

CLAIM NO. A29-04323

AFFIDAVIT

I am one of the previous owners of the property and water rights referred to in claim number A20-04323. The water was put to beneficial use April 14, 1913 and has been used on this property continuously since that date.

Edwin F. Davis filled permit number 14915, priority date April 14, 1913 and put the water to beneficial use on the property referred to. It has been used on the property continuously since that date.

Lewere Jackson
Signature of affiant

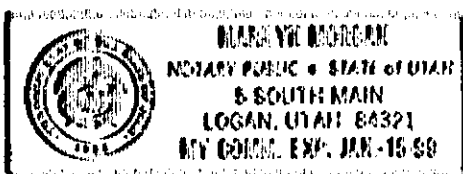
2/23/95
Date

State of Idaho/or Utah)
County of Cache) SS.

Subscribed and sworn (or affirmed) before me this 23rd day
of February 19 95

SEAL

Notary Public Marilyn Morgan
Residing at Logan, Utah
My Commission Expires 10/3/98



DATE: 12/28/94
PAGE: 3

Presumption flag:

NOV 13 1990

Figure 1. The effect of the concentration of the H_2O_2 solution on the amount of the released H_2O from the H_2O_2 -loaded hydrogel. The amount of the released H_2O was measured by the weight difference of the hydrogel before and after the release. The concentration of the H_2O_2 solution was 0.1, 0.2, 0.3, 0.4, 0.5, 0.6, 0.7, 0.8, 0.9, and 1.0 wt. %.

OUR ORIGINAL

NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at _____ o'clock on the _____ day of _____, 19____, at _____ County of _____, State of Idaho, before _____, a proof will be submitted of the application to beneficial use of _____ cubic feet per second of the waters of _____ In accordance with the terms and conditions of Permit No. _____ heretofore issued by the _____ of _____ of the State of Idaho.

The name and post-office address of the person or corporation holding said permit are _____

The use to which said water has been applied is _____

The amount applied to beneficial use is _____ cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) _____

The name of the canal or ditch or other works by which said water is conducted to such place of use is _____

The right to take water from such works is based upon Permit No. _____

The source of supply from which such water is diverted is _____

The date of the priority which said user is presented to establish is _____

Commissioner of Reclamation

14915

WATER
FOR