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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 65-5218
Date Received: 2/13/01
Receipt No:
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s): ROGER E BENNIE
8155 BILL BURNS RD
EMMETT ID USA 83617

Phone: (208) 365-3275

VIRGINIA E BENNIE
8155 BILL BURNS RD
EMMETT ID USA 83617

Phone: (208) 365-3275

2. Date of Priority: 04/01/1910

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06N	03W	13	SW NW	GEM	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
COMMERCIAL	1/01	12/31	0.02	1.2
DOMESTIC	1/01	12/31	0.08	4.8

7. Total Quantity Appropriated is:
0.08 C.F.S. and/or 6 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	03W	13	SW NW		DOMESTIC	

11. Place of use in counties: GEM

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Decreed

RIGHT NUMBER: 65-5218
NAME AND ADDRESS: ROGER E BENNIE
8155 BILL BURNS RD
EMMETT ID 83617

VIRGINIA E BENNIE
8155 BILL BURNS RD
EMMETT ID 83617

SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 0.08 CFS
6.0 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL NOT
EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 04/01/1910

POINT OF DIVERSION:
T06N R03W S13 SWNW Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	1/01 12/31	0.080 CFS 4.80 AFY
COMMERCIAL	1/01 12/31	0.020 CFS 1.20 AFY

PLACE OF USE:

DOMESTIC Within GEM County
T06N R03W S13 SWNW
COMMERCIAL same as DOMESTIC

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Decreed

WR5809NP
No. 65-05218

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/22/01
PAGE: 7

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	REBA ROGERS ROUTE 1, BOX 204 PAYETTE ID 83661	04/01/1910	COMMERCIAL DOMESTIC	01/01 12/31 01/01 12/31	0.020 CFS 0.080 CFS	1.20 AFA 4.80 AFA
TOTAL DIVERSION:					0.080 CFS	6.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T06N R03W S13

SWNW

GEM County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
06N	03W	13	:																	:
			:																	:

Place of use location for COMMERCIAL is the same location as described for: DOMESTIC

Pou County: GEM

Dates:	App. Received:	Priority Date:	04/01/1910
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

C18
1/11
NIB

RECEIVED

FEB 13 2001

WATER RESOURCES
WESTERN REGION

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 65-05218
Date Received:
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ROGER E AND/OR VIRGINIA E BENNIE
8155 BILL BURNS RD
EMMETT ID 83617

Phone:

(H) 208 365-3275
(W) 208 365-7470

2. Date of Priority: 04/01/1910

3. Source: GROUND WATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
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11. Place of use in counties: GEM

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Decreed

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):

Ryan E. Bunker
Virginia E. Bunker

Date: 2/6/01

Date: 2/6/01

State of Idaho)

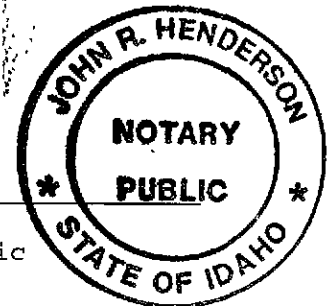
County of Gem)

SS.

Subscribed and sworn (or affirmed) before me this 6th day
of February 2001

John R. Henderson

Notary Public



Residing at Emma H

My commission Expires Oct 12, 2006

RECEIVED

FEB 13 2001

WATER RESOURCES
WESTERN REGION

Roger E. Bennie
Virginia E. Bennie
8155 Bill Burns Road
Emmett, ID 83617
(208) 365-3275

February 6, 2001

Department of Water Resources
Western Division
2735 Airport Way
Boise, ID 83705-5082

To whom it may concern,

Thank you for your information and notification of the necessity on our part to file a claim for water rights for the use of our well. We were unaware that this was required when we purchased the property in 1991. The information was not supplied to us by the realtor nor in any of the paperwork we received at closing. Being that the well was existing *and* on our property, we did not realize that there were additional water rights associated with it, other than our own private rights. The existing well was tested by DEQ when we finished building our new house and passed.

We ask that any late fee be waived.

Thank you for your time and valuable information.

Sincerely,

Roger E. Bennie
Virginia E. Bennie