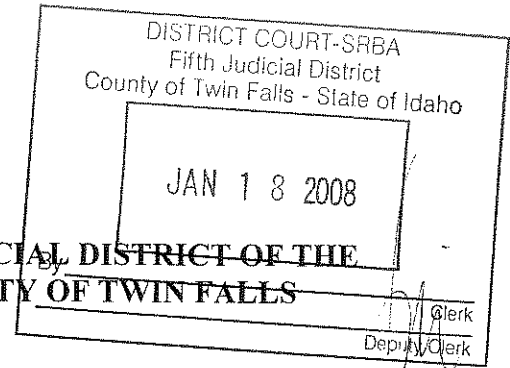




IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Subcase: 55-13875

Case No. 39576

ORDER GRANTING MOTION TO FILE
LATE NOTICE OF CLAIM

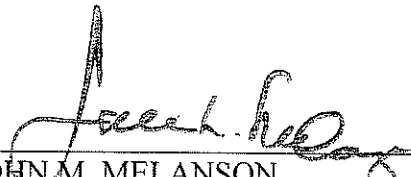
On October 22, 2007, the Richard S. Bennett and Lois M. Bennett Credit Shelter Trust, by and through counsel, Carol DeHaven Skerjanec, filed a *Motion to File Late Notice of Claim* for the above-captioned water right. Hearing was held on the *Motion* on January 15, 2008. This *Motion* complied with all procedural requirements under *SRBA Administrative Order 1*, and no objections were made to this late Notice of Claim.

THEREFORE, IT IS ORDERED, that the *Motion to File a Late Notice of Claim* for the above-captioned water right is **granted**.

The original Notice of Claim, as well as any attached filing fees, and a copy of this **Order** will be forwarded to the Idaho Department of Water Resources for further action. Following investigation by the Idaho Department of Water Resources, recommendation for the claim will be reported in the next *Late Claims Director's Report* which is issued on an annual basis. This modifies the provisions of *SRBA Administrative Order 1* 4d(2)(h).

IT IS SO ORDERED.

Dated January 18, 2008.


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING
MOTION TO FILE LATE NOTICE OF CLAIM was mailed on January 18,
2008, with sufficient first-class postage to the following:

RICHARD S BENNETT AND LOIS M

Represented by:
CAROL D. SKERJANEC
PO BOX 220
VALE, OR 97918
Phone: 541-473-3141

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line.

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 55-13875Date Received: 1/22/08Receipt No: 0085739Received By: KAW

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day

1. Name of Claimant(s) Richard S. Bennett and Phone 541) 473-3141
Lois M. Bennett Credit Shelter Trust

Mailing Address P.O. Box 220 Vale, OR Zip 97918
Street or Box City State

2. Date of Priority: (Only one per claim) April 1, 1995
Month/Day/Year (YYYY)

3. Source of water supply (Check one) Ground Water () or Other ☒ (a) Spring
which is tributary to (b) Palmer Creek

4. Location of Point of Diversion is: Township 4S., Range 6W., Section 24,
NE, 1/4 of NW, 1/4 or Govt. Lot , BM., County of Owyhee; Parcel (PIN) No.

Additional points of diversion if any:

If available, GPS Coordinates 21-07-30-10-24-29

5. Description of diverting works (Wells, Pumps, Spring boxes, Pipelines, Etc.) including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well.

Spring box to one-inch pipe diverting to a 300 gallon tank.

6. Water is claimed for the following: (limited to Domestic and/or Stockwater uses. See page 1 of the instructions.)

For Stockwater purposes from April 1 to Sept 1 amount 0.05
Month/Day Month/Day (cfs) or (AFA)

For purposes from to amount

7. Total Quantity claimed 0.05 (cfs) or (AFA)

8. Non-irrigation uses. Describe fully. (eg. Domestic: Give number of households served if single ownership;
Stockwater: Type and number of livestock) Stockwater for 150 head of range cattle.

9. Location of Place of Use is: Township 4S., Range 6W., Section 24,
NE, 1/4 of NW, 1/4, Govt. Lot _____, BM.; Parcel (PIN) No. _____

for (Circle One) Domestic Stock Domestic and Stock
 Additional places of use, if any _____

10. Which county (ies) are lands listed above as place of use located? Owyhee

11. Do you own the property listed above as place of use? Yes ☒ No ()

If the answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.

None (X) _____

13. Remarks:

14. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number _____

15. 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 under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Richard S. Bennett Date: Oct 18, 2007

Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am

Trustee Title of Lois M. Bennett Credit Shelter Trust Organization

that I have signed the foregoing document in the space below as

Trustee Title of Lois M. Bennett Credit Shelter Trust Organization

And that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature] Date Oct 18, 2007

Title and Organization Lois M. Bennett Credit Shelter Trust

Please Print Name

16. Notice of Appearance: Carol DeHaven Skerjanec

Notice is hereby given that I, _____, will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Carol DeHaven Skerjanec

Address P. O. Box 220 Vale, OR 97918

Date Oct 18, 2007

Last Name Bennett Identification No. _____