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FEB 08 2008

DEPARTMENT OF
WATER RESOURCES

280 A Street East
P. O. Box 220
Vale, Oregon 97918
Telephone (541)473-3141
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Skerjanec@valelawyers.com

**** Reply to Vale Office**

February 7, 2008

State of Idaho
Department of Water Resources
322 East Front Street
P. O. Box 83720
Boise, ID 83720-0098

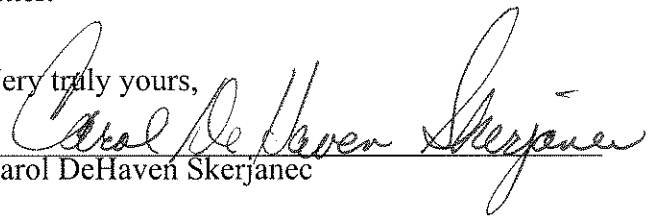
Re: SRBA Claim #55-13875

Gentlemen:

Enclosed herewith is AMENDED NOTICE OF CLAIM for the above file. At the January 15, 2008 hearing, Judge Melanson allowed the Motion to File Late Claim and allowed the filing of an Amended Claim under the Motion if filed within 30 days of the hearing. If there is any question about this filing, please contact the undersigned, or Garrick Baxter of the Attorney General's office who was representing IDWR at hearing.

Thank you for your attention to this matter.

Very truly yours,


Carol DeHaven Skerjanec

Enc.

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DEPARTMENT OF
WATER RESOURCES

Form No.42-1409 (2)a (Internet)

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 _____

Date Received: _____

Receipt No: _____

Received By: _____

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

Please type or print clearly

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

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

2. Date of Priority (Only one (1) per claim) April 1, 1952
Month Day Year (YYYY)

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

4. a. Location of Point of Diversion is: Township 4 S., Range 6 W., Section 24,
NE, 1/4 of NW, 1/4 of _____, 1/4 Govt. Lot _____, BM., County of Owyhee

Additional points of diversion if any: _____

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

b. If instream flow, beginning point of claimed instream flow is:

Township 4S, Range 6W., Section 24, NE, 1/4 of NW, 1/4 of _____, 1/4
Govt. Lot _____, BM., County of Owyhee

ending point is: Township 4 S., Range 6 W., Section 24, NE, 1/4 of NW, 1/4 of
_____, 1/4 Govt. Lot _____, BM., County of Owyhee

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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. _____

Last Name Bennett Ident No. 55-13875

6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD)

(cfs)

(acre feet)

For Stockwater purposes from April 1 to Sept 1 amount 0.05 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.05 (cfs) and/or (b) _____ (acre feet)

8. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) Stockwater for 150 head of range cattle.

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

Twn	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4	6	24					Lv												

Total number of acres irrigated _____

10. In 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 X No _____
If your 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.

_____ or None (X)

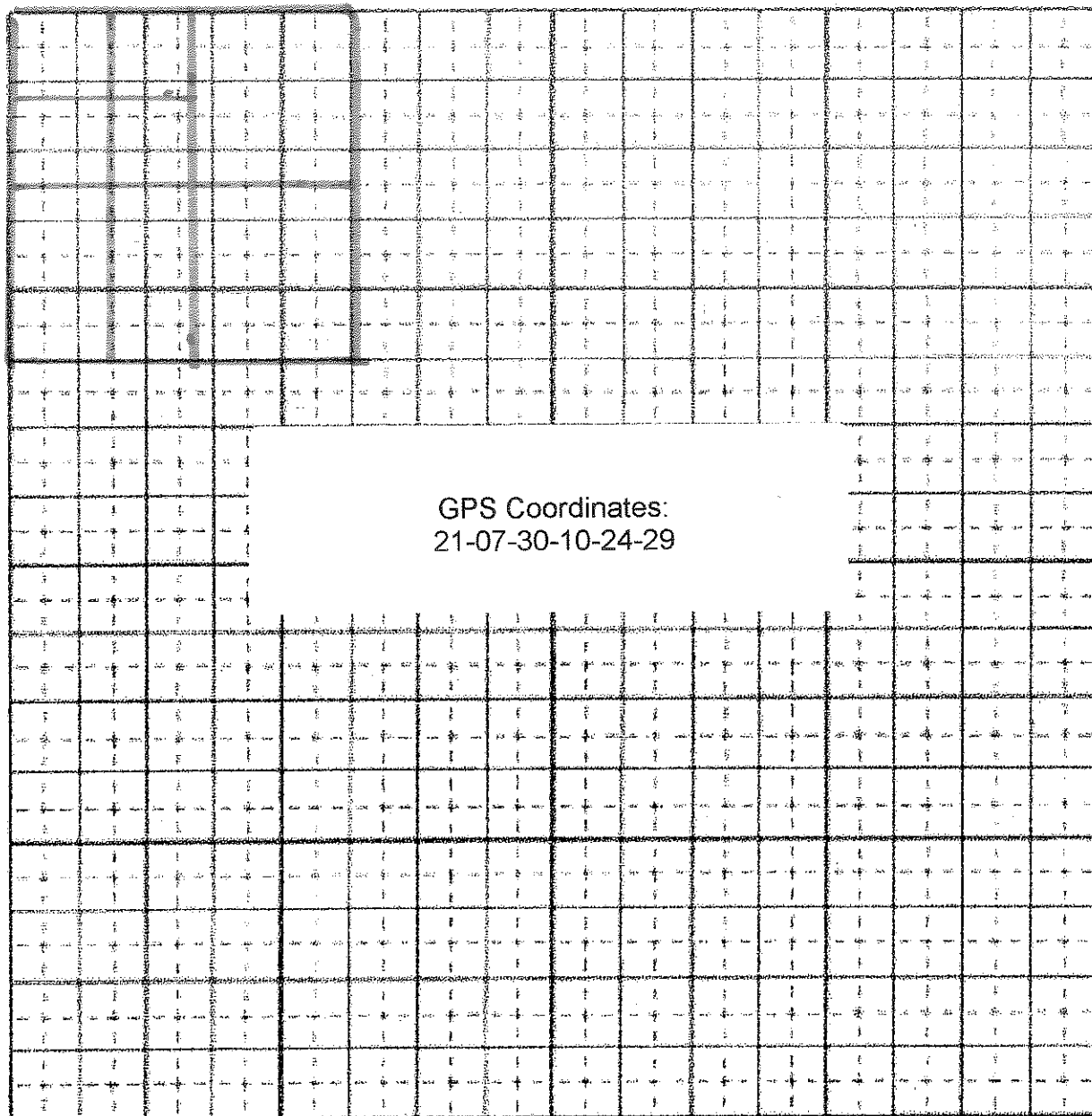
13. Remarks: This is an Amendment to the original claim filed in
this case changing the Claim to an in-stream claim for stock
water. This Amendment is filed within the 30 period from
January 15, 2008 as provided by Hon. John Melanson at hearing.

Last Name Bennett Ident No. 55-13875

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 Inches equals 1 mile

Twp 4 S., Range 6 W., B.M, Section 24



Bennett

55-13875

Last Name _____ Ident No. _____

14. Basis of Claim (Check 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) *Lois M. Bennett* Date: _____

Lois M. Bennett Date: 2.6.08

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

Title _____ of _____ Organization _____

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

Title _____ of _____ Organization _____

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

Signature of Authorized Agent _____ Date _____

Title and Organization _____

Please Print Name

16. Notice of Appearance:

Notice is hereby given that I, Carol DeHaven Skerjanec, 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 2.6.08

Last Name Bennett Ident No. 55-13875