

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: A71-10653
Date Received: 6/19/1992
Receipt No: C024615
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DAVID K BENNION 208-345-9056
Address: 2212 RIDGE POINT WAY
BOISE ID 83712

AND/OR

Name: SUSAN D BENNION 208-345-9056
Address: 2212 RIDGE POINT WAY
BOISE ID 83712

2. Date of Priority: OCT 26, 1982

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11N	12E	25	SW	SE	SW		CUSTER

5. Description of diverting works:
WELL 60' DEEP, 6" CASING, 3/4HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC 1 HOUSE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	12E	25	SE	SW		DOMEST	

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

Identification No. 171-10653Date Received 6-19-92 **B**Receipt Number 1024615

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.

RECEIVED
JUN 19 1992

Department of Water Resources

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) DAVID K & SUSAN D. BENNION Phone (208) 345-9056Mailing Address 2212 RIDGE POINT Way; Boise Idaho Zip 837122. Date of Priority (Only one per claim) 10/26/82 Month/Day/Year3. Source of water supply (Check one) (☒ Groundwater or Other () (a) _____
which is tributary to (b) _____
Name or kind of source4. Location of point of diversion is: Township 11 N Range 12
Section 25 SW 1/4 of SE 1/4 of SW 1/4, Govt. Lot _____, BM.,
County of _____

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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. ELECTRIC HOUSE PUMP - 3/4 HP; DEPTH OF WELL 60 FEET, 6" CASING

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Domestic purposes from Jan 1 to Dec 31 amount .04 (cfs)For _____ purposes from _____ to _____ amount _____
(Both dates are inclusive)7. Total quantity claimed .04 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) Domestic

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MAR 17 1993

10. Place of use is: Township: 11 N Range 12 E
Section 25, SE 1/4 of SW 1/4, Govt. Lot _____, B.M.,
for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

11. In which county (ies) are lands listed above as place of use located? CUSTER

12. 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.

13. Describe any other water rights used at the same place and for the same purposes as described above.
(X) None or _____

14. Remarks: _____

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

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Daniel K. Benner Date 5/22/92

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing

document in the space below as _____ of _____

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

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)

County of Ada) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 18 day of June 19 92

SEAL

Notary Public Bicky S. Wiskus

Residing at Boise, ID

My Commission Expires 1-5-93

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Chronicle

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MAR 17 1993

State of Idaho
Department of Water Resources
REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

RECEIVED
JUN 19 1992

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

DAVID K. BENNION & SUSAN D. BENNION (208) 345-9056
Name of Claimant Phone Number

2212 RIDGE POINT Way Boise Idaho 83712
Mailing Address City State Zip

Custer MAY 6, 1992
County(s) where place of use is located Date claim originally due

A71-10653 A71-10654
Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

SEE Attachment A

Claimant requests an extension to _____, 19 _____

David K. Bennion 6/19, 19 92
Signature Date of request

Title _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [☒ granted] [☐ denied] for the following reasons:

and if granted the filing deadline is extended to June 19, 19 92

Signed this 22 day of June, 19 92

Director or his designated agent

DAVID B. SHAW

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

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MAR 17 1993

APR-01-1997
0039

RIGHT NUMBER: 71-10653

NAME AND ADDRESS:

SUSAN D BENNION
DAVID K BENNION
2212 RIDGE POINT WAY
BOISE ID 83712

SOURCE:

GROUNDWATER

QUANTITY:

0.04 CFS

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

PRIORITY DATE:

10/26/1982

POINT OF DIVERSION:

T11N R12E S25

SWSW

Within CUSTER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
DOMESTIC 1 HOME

PERIOD OF USE
01-01 12-31

QUANTITY
0.04 CFS

PLACE OF USE:

DOMESTIC
T11N R12E S25

Within CUSTER County
SESW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL:

BASIS OF CLAIM - BENEFICIAL USE
PROPERTY IS ALSO KNOWN AS LOT 7, BLK 1, HOMESTEAD SUBDIVISION.

108

Old (D) Number -

State- ID Zip- 83712

```
+-----+-----+-----+-----+-----+-----+-----+-----+
- - - - - Old Water Right Numbers - - - - -
+-----+-----+-----+-----+-----+-----+-----+-----+
No Old Water Right Numbers found.
```

39

Prefix Translation: RESEARCH

Decree Plaintiff	Decree Defendant	Decree Date
00/00/0000		

+ - - Audit Fields - 11/06/92 MERRITT 11/14/92 POST-STD 09/29/93 CHRISTEN 03/30/95 POST-STD 01/13/97 DS1-PROD

+ Adjudication Rights Dates and Flags Area

Court Report Filing	- 00/00/0000	Field Inspection Made	- 09/22/1993	Civil Case Number	-	35916
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-	
Response Filed Date	- 00/00/0000	Verified Date	- 09/29/1993	Old Judicial District	-	
Claim Received Date	- 06/19/1992	Last Amended Date	- 00/00/0000	Temporary Right	- P	
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-	
Licensed Date	- 00/00/0000	Receipt Number	- C024615	Federal/State Indicator	- S	
		POU Ownership Flag	- Y	Presumption Flag	-	
		Name Connector	- AND/OR	Notice of Error Flag	-	

JUN-28-1995
0381

1

OK

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
71-10653	SUSAN D BENNION DAVID K BENNION 2212 RIDGE POINT WAY BOISE ID 83712	10/26/1982	DOMESTIC	01-01 12-31	0.04	CFS BENEFICIAL USE
NON-IRRIGATION USES:						
DOMESTIC, 1 HOUSE						
DOMESTIC, 1 HOUSE						
SOURCE: GROUNDWATER						
POINT OF DIVERSION:						
T11N R12E S25 SWSW						
PLACE OF USE: DOMESTIC						
T11N R12E S25 SESW						
REMARKS: PROPERTY IS ALSO KNOWN AS LOT 7, BLK 1, HOMESTEAD SUBDIVISION.						

TOTAL QUANTITY: 0.04 CFS

R PROOF

CVR

MAPS

PHOTOS

MISC

✓
Dom
Sheet
form
✓

✓

✓

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OCT 28 1994

CLAIM NO. 471-10653

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM VERIFICATION EXAM SHEET
FOR DOMESTIC AND STOCKWATER CLAIMS IN PLACE OF A CVR

1. ☒ No Change NAME:
NEW OWNER: _____
☒ No Change ADDRESS:
NEW ADDRESS: _____
☒ DATA ENTRY STANDARDS CHECKED?
2. ☒ No Change - DATE OF PRIORITY: No Field Verification Needed.
CHANGE- Priority date, per claimant, is _____.
(if the priority date, based on your exam, seems questionable,
explain in COMMENTS.)
3. ☒ No Change - SOURCE:
CHANGE - Different Source found: _____.
4. ☒ No Change - POINT OF DIVERSION:
Point of diversion is different than the claim
New P/D: Twp. ____, Rge. ____, Sec. ____, $\frac{1}{4}$ $\frac{1}{4}$ $\frac{1}{4}$

Note: If the 10-acre tract is shown on the claim, then
verification of the 10-acre parcel is needed. Otherwise the
10-acre tract is not required, unless the source is a spring.
5. ☐ No Change - DESCRIPTION OF DIVERTING WORKS:
☒ Incomplete desc., complete items missing, IF KNOWN.
HP of pump _____ Static water level _____ Well depth _____
Casing size 6" Pumping water level _____ Gravity flow _____
Method of irr. _____
6. ☒ No Change - WATER USES:
☐ Different uses, (list uses found).

Use _____ From _____ To _____ Amount _____ cfs _____ af
Use _____ From _____ To _____ Amount _____ cfs _____ af
7. ☒ No Change - TOTAL VOLUME:
☐ Change found, The new total is, -- -- -- _____ cfs _____ af
8. N/A
9. ☒ No Change - NON-IRRIGATION USES: Completed on claim
☐ Incomplete on claim - Exam found:
Domestic - No. of homes _____ Stockwater - No. of head _____
Other: _____
☐ DATA ENTRY STANDARDS (correct to..)

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10. ☒ No Change - PLACE OF USE: (If changed, list below.)
Use Twp. Rge. Sec. 1/4, 1/4, 1/4

11. ☐ Checked: N/A

12. ☐ Checked: N/A

13. ☒ No change - OTHER RIGHTS FOR SAME USE:
☐ CHANGE: _____

14. ☒ None REMARKS: (copy existing remarks to comments in "R")
☐ Add the following standard remarks:
LIST STANDARD REMARKS FOR THE RECOMMENDATION:

15. ☒ BASIS OF CLAIM VERIFIED AS: D - L - P - S - (J) (circle one)

COMMENTS: (pertinent to field examination)

*found the well casing just north of the home
no one was home & could not determine any
additional info about well.*

ATTACHMENTS: Attached to Attachments are
 This Form. in Permit File.

PHOTOS

MAP

SYSTEM DIAGRAM



DATE EXAM CONDUCTED: 9-22-93

FIELD EXAMINER:

Signature

KELLY K. CHRISTENSEN

Kelly K. Christensen

REVIEWED BY/DATE: _____

DATA ENTRY BY/DATE: _____

VERIFICATION BY/DATE: _____

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OCT 28 1994

Water right number - R71-10653

Prefix Translation: RESEARCH

+ - - - - Old Water Right Numbers - - - - -
+ - - - - No Old Water Right Numbers Found - - - - - Old Water Right Numbers - - - - -

+ - - - - Conditions of Approval - - - - -
+ - - - - No Conditions of Approval Found. - - - - -

+ - - - - Decree Plaintiff - - - + - - - - Decree Defendant - - - + - - - Decree Date - - - +
00/00/0000

+ - - - - Comments - - - - -
Date: 09/29/1993 User Id: CHRISTEN Subject: CLAIM VERIFICATION
USE VERIFIED DURING A 9-22-93 FIELD EXAM BY KKC.

+ - - Audit Fields - - +
09/29/93 CHRISTEN

+ - - - - Adjudication Rights Dates and Flags Area - - - - -
Court Report Filing - 00/00/0000 Field Inspection Made - 09/22/1993 Civil Case Number - 39576
Objection Filed Date - 00/00/0000 Field Inspection Flag - 09/29/1993 Old Case Number -
Response Filed Date - 00/00/0000 Verified Date - 00/00/0000 Old Judicial District -
Claim Received Date - 06/19/1992 Last Amended Date - C024615 Temporary Right - P
Receipt Number - POU Ownership Flag - Y Water District -
Name Connector - AND/OR Federal/State Indicator - S
Notice of Error Flag -

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OCT 28 1994

CLAIM # MULTIPLE - BENNION, MUENCH, & REYNOLDS
DATE PHOTOS TAKEN; 9-21-93
PICTURE SET # 1

This photo set covers all three places of use. The cabin on the left across the buck fence is the Bennion property. The roof shown in the center is the Muench cabin and on the right a window on the Reynolds cabin is visible (just). The picture was taken from a vacant lot north of the Bennion property. The van is parked in the portion of the right of way that runs north and south. You are looking east southeast on the left to southwest on the right.

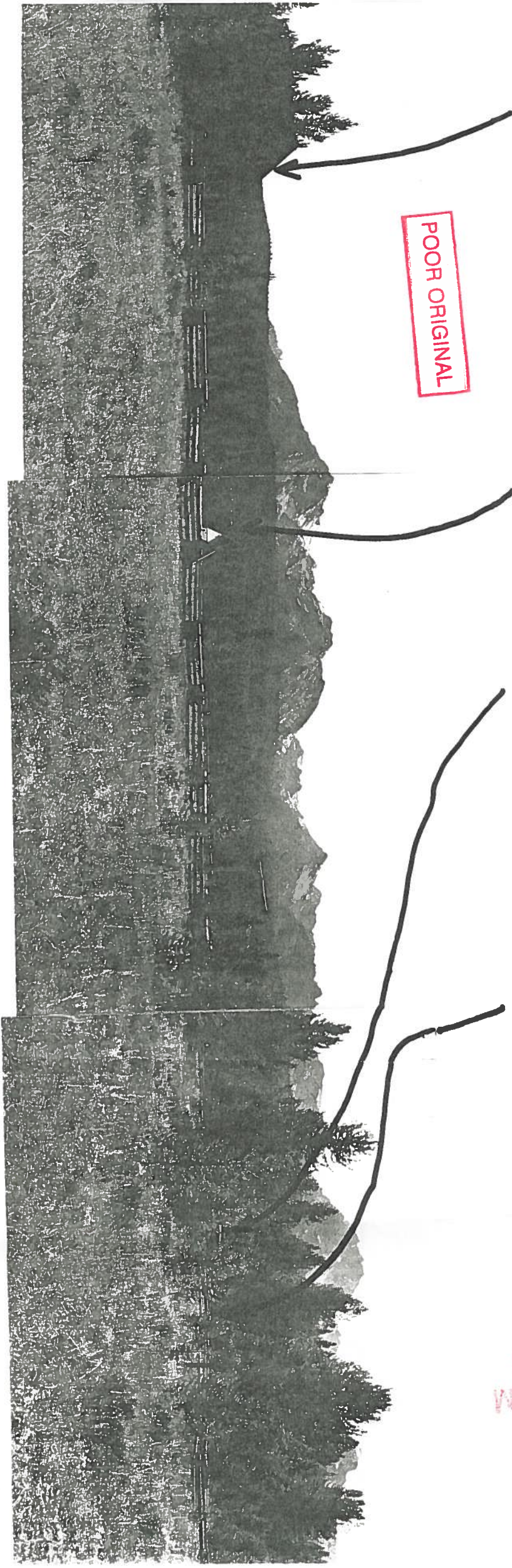
BENNION PROPERTY

MUENCH PROPERTY

VAN

REYNOLDS CABIN

POOR ORIGINAL



Original in 471-070820

70" = 1 mi

45.5' per 1/16

734.6'

POOR

To P/D

SE 1/4 SW 1/4
of SEC 25

CAPPED
WELL

FLANGERMAN

ROAD
SURVEYED TO
BE 1280.28

CLAIM _____ INIT _____
T. R. S. Q/Q
P/D _____
PHOTO Forest Service 677-197
DT. & ID. 9-9-77 Flight

BOYLE →

REYNOLDS →

BENNION

BAIRD
3.6 mi

BAIRD

MUENCH ↗

HOME

MICROFILMED
OCT 28 1994

Water Right Number - R71-10653

Prefix Translation: RESEARCH

Old (D) Number -

*** C - CURRENT OWNER ***
BENNION

SUSAN D

1 - 2212 RIDGE POINT WAY
2 -
3 -

State- ID zip- 83712

BENNION

DAVID K

City- BOISE
Phone - 208-345-9056
1 - 2212 RIDGE POINT WAY
2 -
3 -

State- ID zip- 83712

Priority Date - +
10/26/1982

Region - +
17 SOUTHERN

Stage - +
J - BENEFICIAL USE

Status - +

Source - +
GROUNDWATER

Tributary -

Twn Rng Sec Tract Lot RFlg County Point of Diversion - +
11N 12E 25 SW SE SW (37) CUSTER

Code Description Period From Period To Water Use Diversion Rate Diversion Volume
43 - DOMESTIC 01/01 12/31 0.040

+ - Total Div. Rate - + - Total Div. Volume - + - Total Consumptive Use - + - KW Usage - +
0.040 0.0

Twn Rng Sec Tract Lot Acres Place of Use Code Description County
11N 12E 25 SE SW 43 DOMESTIC (37) CUSTER

Total Acres:

+ - - Diversion Means - WELL 60' DEEP, 6" CASING, 3/4HP PUMP

+ - - Non-Irrigation Use - DOMESTIC, 1 HOUSE

+ - - Other Rights for Same Use - NONE

Remarks
PROPERTY IS ALSO KNOWN AS LOT 7, BLK 1, HOMESTEAD SUBDIVISION.

VERIFIED BY *KKC*
9-29-93

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OCT 28 1994