

VERIFIED BY 2/28/97

\$25

FEB-28-1997
0019

RIGHT NUMBER: 72-07003

NAME AND ADDRESS: JO ANN BENNETTS
JAMES R BENNETTS
PO BOX 36
CHALLIS ID 83226

SOURCE: UNNAMED SPRING TRIBUTARY: SPRING GULCH

QUANTITY: 0.04 CFS
1.2 AFY

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

PRIORITY DATE: 10/05/1967

POINT OF DIVERSION: T09N R19E S07 NWSE Within CUSTER County

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE
DOMESTIC 1 HOME 01-01 12-31

QUANTITY
0.04 CFS
1.2 AFY

PLACE OF USE: DOMESTIC Within CUSTER County
T09N R19E S07 NESW

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
PARCEL NO. RP A0103003016A A

DATE: 01/17/97
PAGE: 28

DIVERSION
VOLUME

1.20 AFA

1.20 AFA

Stage: BENEFICIAL USE

CUSTER County

35

ESAS ESMS

• •

N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Objection Filed Date:

01/14/97 DS1-PROD

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: A72-07003
Date Received: 1/03/1990
Receipt No: S010816
Received By: lu

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES R. BENNETTS 208-879-2567
Address: P.O. BOX 36
CHALLIS, ID 83226

OR
Name: JO ANN BENNETTS 208-879-2567
Address: P.O. BOX 36
CHALLIS, ID 83226

2. Date of Priority: OCT 05, 1967

3. Source: UNNAMED SPRING Trib. to: SPRING GULCH

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09N	19E	7	NW	SE			CUSTER

5. Description of diverting works:
BOX, 2"X300' PLASTIC PIPE, 1"X1000' PLASTIC PIPE

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		1.20

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) 1.20 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE & YARD

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
09N	19E	7	NE 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: LICENSE

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 FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. A72-07003

Date Received _____

Receipt Number _____

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

JAN 2 1990

Department of Water Resources
Southern Region Office

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) JAMES R. BENNETTS OR JO ANN BENNETTS Phone (208) 879-2567Mailing Address P. O. Box 36, Challis, Idaho Zip 832262. Date of Priority (Only one per claim) 10/05/1967 Month/Day/Year3. Source of water supply (Check one) () Groundwater or Other (x) (a) Unnamed springwhich is tributary to (b) Spring Gulch Name or kind of source4. Location of point of diversion is: Township 09 N Range 19 ESection 7 , 1/4 of NW 1/4 of SE 1/4, Govt. Lot _____, BM.,County of Custer

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. Box at spring to 2-inch plastic pipe approximately 300 feet, thence to 1-inch plastic pipe 1000 feet more or less to place of use.

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

For Domestic purposes from 01/01 ^{Month/Day} to 12/31 ^{Month/Day} amount 0.04 ^(cfs)For _____ purposes from _____ to _____ amount _____
(Both dates are inclusive)7. Total quantity claimed 0.04 (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) Household (single) and yard area.

MICROFILMED

MAR 19 1993

10. Place of use is: Township: 09 N Range 19 E

Section 7, NE 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 72-07003

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of Attachments 0

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) James Bennett Date Dec 29th, 1989

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 CUSTER) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 29 day of December 19 89

SEAL

Notary Public Ratay Kindt

Residing at Challis Id.

My Commission Expires 3/12/92

Last Name BENNETTS Ident No. _____

Copies: White-State, Yellow-Claimant

MICROFILMED

MAR 19 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

. Jan. 4, 1990

. JAMES R BENNETTS
. P O BOX 36
. CHALLIS ID 83226

A72-07003
A72-10360
A72-04160
Re: A72-07066A
A72-00184
A72-04020
A72-04060
A72-00218

Dear Claimant(s):

Please find enclosed your receipt and a copy of a computer generated claim based on the information from your original claim(s) which has been entered in our computer records.

Please review the computer generated claim for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of your claim(s), please contact this office.

Yours truly,

A handwritten signature in cursive script, appearing to read 'Judy Givens'.

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED

MAR 19 1993

WATER RIGHT NUMBER - A72-07003

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (O) NUMBER -

+ - - - - LAST NAME - - - - +

+ - - - - FIRST NAME - - - - +

+ - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***

BENNETTS

JAMES R.

1 - P.O. BOX 36

2 -

3 -

CITY- CHALLIS

PHONE - 208-879-2567

1 - P.O. BOX 36

2 -

3 -

CITY- CHALLIS

PHONE - 208-879-2567

STATE- ID ZIP- 83226

STATE- ID ZIP- 83226

BENNETTS

JD ANN

+ - - - - PRIORITY DATE - - - - +

10/05/1967

+ - - - - REGION - - - - +

17 SOUTHERN

+ - - - - SOURCE - - - - - +

UNNAMED SPRING

+ - - - - STAGE - - - - +

L - LICENSE

+ - - - - TRIBUTARY - - - - - +

SPRING GULCH

+ - - - - TOWN - - - - -

RNG

SEC

TRACT

LOT

RFLG

COUNTY

POINT OF DIVERSION - - - - - +

STREAM INDEX (BLANK IF NO INDEX CODE)

09N

19E

7

NW SE

(37) CUSTER

+ - - - - CODE - - - - -

DESCRIPTION

PERIOD FROM

PERIOD TO

WATER USE

DIVERSION RATE

DIVERSION VOLUME

43 - DOMESTIC

01/01

12/31

0.040

0.040

1.20

+ - - - - TOTAL DIV. RATE - - - - +

0.040

+ - - - - TOTAL DIV. VOLUME - - - - +

1.20

+ - - - - TOTAL DIV. CAPACITY - - - - +

0.0

+ - - - - TOTAL CONSUMPTIVE USE - - - - +

0.0

+ - - - - KW USAGE - - - - -

+ - - - - TOWN - - - - -

RNG

SEC

TRACT

LOT

ACRES

PLACE OF USE

CODE

DESCRIPTION

COUNTY

09N

19E

7

NE SW

43 DOMESTIC

(37) CUSTER

+ - - - - DIVERSION MEANS - BOX, 2"X300' PLASTIC PIPE, 1"X1000' PLASTIC PIPE

+ - - - - NON-IRRIGATION USE - D/I HOUSE & YARD

+ - - - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - REMARKS - - - - -

NO REMARKS FOUND.

+ - - - - OLD WATER RIGHT NUMBERS - - - - -

NO OLD WATER RIGHT NUMBERS FOUND.

+ - - - - CONDITIONS OF APPROVAL - - - - -

NO CONDITIONS OF APPROVAL FOUND.

MICROFILMED

NOV 02 1994

WATER RIGHT NUMBER - A72-07003

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - DECREE PLAINTIFF - - - +

+ - DECREE DATE - +
00/00/0000

+ - - AUDIT FIELDS - 01/03/90 WHITE

+ - - - - COMMENTS - - - - -
NO COMMENTS FOUND

+ - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - -

COURT REPORT FILING - 00/00/0000
OBJECTION FILED DATE - 00/00/0000
RESPONSE FILED DATE - 00/00/0000
CLAIM RECEIVED DATE - 01/03/1990
PROOF DUE DATE - 00/00/0000
LICENSED DATE - 00/00/0000
CLAIMS TAPE ERROR FLG -
FEE EXEMPT FLAG -

FIELD INSPECTION MADE - 00/00/0000
FIELD INSPECTION FLAG -
VERIFIED DATE - 04/23/1985
LAST AMENDED DATE - 00/00/0000
PROOF MADE DATE - 00/00/0000
RECEIPT NUMBER - S010816
POU OWNERSHIP FLAG - Y
NAME CONNECTOR - OR

CIVIL CASE NUMBER - 39576
OLD CASE NUMBER -
OLD JUDICIAL DISTRICT -
TEMPORARY RIGHT - P
WATER DISTRICT -
FEDERAL/STATE INDICATOR - S
PRESUMPTION FLAG -
NOTICE OF ERROR FLAG -

RP A010300 3016A A

DATA ENTRY

ENTERED 10-11-92
CHECKED 8/2/93

Verified By
Topo Map/Ortho-PQ
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED
AUG 0 6 1992

CERTIFIED

AUG 20 1992

WATER EXAMINER