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Department of Water Resources

Department of Water Resources

IN THE DISTRICT COURT OF THE ~~Southern Region~~ JUDICIAL DISTRICT OF THE STATE OF IDAH
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: A72-07066

Date Received: / /

Receipt No: S010816

Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: JAMES R BENNETTS 208-879-2567
Address: PO BOX 36
CHALLIS ID 83226
OR
Name: JO ANN BENNETTS 208-879-2567
Address: PO BOX 36
CHALLIS ID 83226
2. Date of Priority: JAN 19, 1978
3. Source: LAKE CREEK Trib. to: HERD CREEK, EAST FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09N	19E	15	SW	SW			CUSTER
5. Description of diverting works:
DITCH, PIPELINE & GRAVITY FLOW.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.080		189.00
7. Total Quantity Appropriated is:
1.080 C.F.S. (and/or) 189.00 A.F.A.
8. Total consumptive use is 135.0 Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	19E	18	NW	NE		IRR	2.0

A72-07066

Page 1

Date: 07/14/95

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JUL 26 1995

Department of Water Resources

10. Place of Use: Continued Department of Water Resources
Southern Region

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
09N	19E	18	SW NE		IRR	19.0
			SE NE		IRR	7.0
			NE SE		IRR	12.0
			NW SE		IRR	8.0
			SE SE		IRR	6.0

Section Acres 54.0

Total Acres 54.0

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:
A72-00218, A72-16275

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):

[Handwritten Signature]
[Handwritten Signature]

Date: 7-22-95

Date: 7-22-95

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JUL 26 1995

State of Idaho)

County of Custer)

Department of Water Resources
Southern Region

Department of Water Resources

Subscribed and sworn (or affirmed) before me this 22nd day

of July 19 95

Kathryn M. Swadell
Notary Public

Seal

Residing at Challis ID

My Commission Expires 11/17/2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

July 18, 1995

KARL J. DREHER
DIRECTOR

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AUG 28 1995

JAMES R OR JO ANN BENNETTS
PO BOX 36
CHALLIS ID 83226

Department of Water Resources
Southern Region

RE: Snake River Basin Adjudication (SRBA)
Amended Notice of Claim #A72-07066

(Custer Co.)

Dear Claimants:

I recently discovered Notice of Claim #A72-07066 has a later priority date and less water use than the License issued to you in 1990. I felt you may want to consider amending Notice of Claim #A72-07066 based upon your License, thereby claiming in the SRBA the same water right described on the License.

I have enclosed for your possible use computer-generated Amended Notice of Claim #A72-07066 which, if you choose to file, you must sign in front of a Notary Public and return to my attention. If I do not receive this document within 30 days, I'll assume you do not wish to amend your water right claim.

Please contact me at 208/327-7932 if you have any questions.

Sincerely,

Donald V. Shaff
Manager, Adjudication Section

DVS:ss:state:tf
Enclosure:

Amended Notice of Claim #A72-07066

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-~~07066A~~ ⁰⁷⁰⁶⁶
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: JAN 24, 1978
3. Source: LAKE CREEK Trib. to: HERD CREEK, EAST FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09N	19E	15	SW	SW			CUSTER
		16	NE	SW			CUSTER
5. Description of diverting works:
DITCH, PIPELINE, GRAVITY FLOW, HAND LINES
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.000		
7. Total Quantity Appropriated is:
1.000 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 200.0 Acre Feet Per Annum.
9. Non-irrigation uses:

A72-07066A

Page 1

Date: 01/03/90

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10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
09N	18E	18	NW NE		IRR	5.0
			SW NE		IRR	25.0
			SE NE		IRR	15.0
			NE SE		IRR	15.0
			NW SE		IRR	15.0
			SE SE		IRR	5.0
					Section Acres	80.0
					Total Acres	80.0

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:
ORIGINAL PERMIT HAS 01/19/1978 PRIORITY DATE, CLAIMED
01/24/1978 PRIORITY. ALSO PERIOD OF USE ON ORIGINAL IS
04/15 TO 10/15, CLAIMED 04/01 TO 11/01. SEE ATTACHED PROOF
REPORT AND LETTER.

15. Basis of Claim: PERMIT

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 _____

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MAR 18 1993

Water Right Number - R72-07066A Prefix Translation: RESEARCH Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
BENNETTS

JAMES R.

JO ANN

1 - P.O. BOX 36
2 -
3 -
City- CHALLIS State- ID Zip- 83226
Phone - 208-879-2567
1 - P.O. BOX 36
2 -
3 -
City- CHALLIS State- ID Zip- 83226
Phone - 208-879-2567

+ - - Priority Date - - + + - - - - Region - - - + + - - - - Stage - - - + + - - - - Status - - - +
01/24/1978 17 SOUTHERN

+ - - - - Source - - - - - + + - - - - Tributary - - - - - + + - - - - Z - SEE REMARKS
LAKE CREEK HERD CREEK, EAST FORK

+ - - - - Point of Diversion - - - - - + + - - - - Diversion Rate - - - - - + + - - - - Diversion Volume - - - - - +
TwN Rng Sec Tract Lot RFlg County

09N 19E 15 SW SW (37) CUSTER
16 NE SW (37) CUSTER

+ - - - - Description Period From Period To Water Use Diversion Rate Diversion Volume
Code

01 - IRRIGATION 04/01 11/01 1.000

+ - - Total Div. Rate - - + + - - Total Div. Volume - - + + - - Total Consumptive Use - - + + - - KW Usage - - +
1.000 200.0

+ - - - - Place of Use - - - - - + + - - - - County
TwN Rng Sec Tract Lot Acres Code Description County
09N 18E 18 NW NE 5.0 01 IRRIGATION (37) CUSTER
09N 18E 18 SW NE 25.0 01 IRRIGATION (37) CUSTER
09N 18E 18 SE NE 15.0 01 IRRIGATION (37) CUSTER
09N 18E 18 NE SE 15.0 01 IRRIGATION (37) CUSTER
09N 18E 18 NW SE 15.0 01 IRRIGATION (37) CUSTER
09N 18E 18 SE SE 5.0 01 IRRIGATION (37) CUSTER

Total Acres: 80.0

+ - - Diversion Means - DITCH, PIPELINE, GRAVITY FLOW, HAND LINES

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

Court Report Filing	-	00/00/0000	Field Inspection Made	-	00/00/0000	Civil Case Number	-	39576
Objection Filed Date	-	00/00/0000	Field Inspection Flag	-		Old Case Number	-	
Response Filed Date	-	00/00/0000	Verified Date	-	00/00/0000	Old Judicial District	-	
Claim Received Date	-	01/03/1990	Last Amended Date	-	00/00/0000	Temporary Right	-	P
			Receipt Number	-	X777777	Water District	-	
			POU Ownership Flag	-	Y	Federal/State Indicator	-	S
			Name Connector	-	OR	Presumption Flag	-	C
						Notice of Error Flag	-	

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 070.
Ident. Number A72-07066A
Date Received _____
Receipt Number 5010816

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

JAN 2 1990

Department of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) JAMES R. BENNETTS OR JO ANN BENNETTS Phone (208) 879-2567

Mailing Address P. O. Box 36, Challis, Idaho Zip 83226

2. Date of Priority (Only one (1) per claim) 01/24/1978

3. Source of water supply (a) Lake Creek
which is tributary to (b) Herd Creek

4. a. Location of existing point of diversion is: Township 09 N Range 19 E Section 15,
1/4 of SW 1/4 of SW 1/4, Govt. Lot, B.M., County of Custer

Additional points of diversion if any: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 16, T. 09 N, R. 19 E. (same system)

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

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

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. Ditch from Lake Creek to concrete headbox
(approximately 100 yards); 10" pipe at inlet to 8 3/4" pipe approx. 1 3/4 miles to
property. Mainline primarily buried. Irrigate with gravity hand lines.

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6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 04/01 to 11/01 amount 1.0 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.0 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 200 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
09N	19E	18		5	25	15									15	15		5	80

Total number of acres irrigated 80

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. _____ or None (X)

14. Remarks:

Last Name BENNETTS Ident No. _____

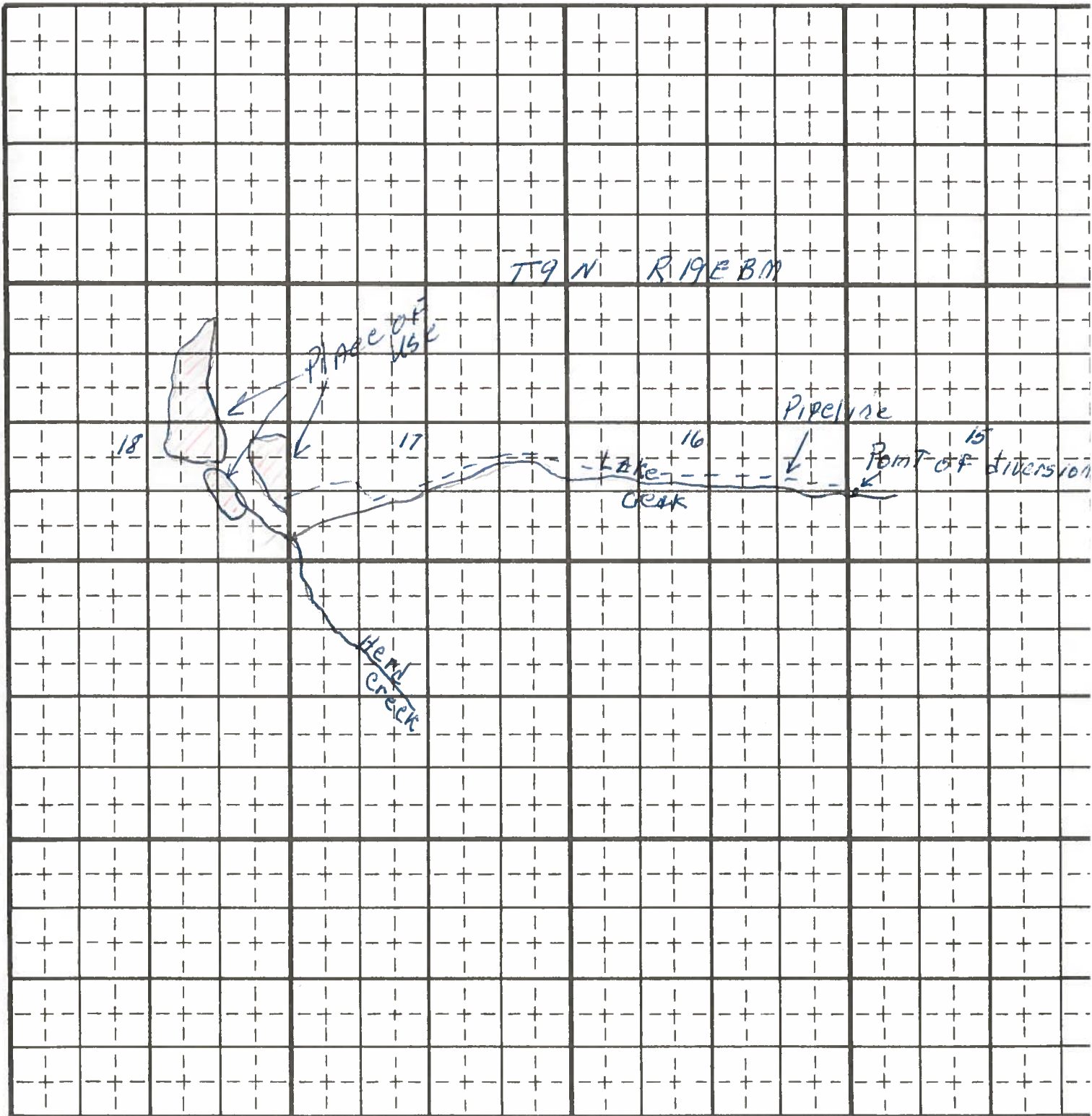
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Copies: White - State, Yellow - Claimant

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

Scale: 2 inches equals 1 mile



Last Name

Bennetts

Ident No.

MICROFILMED
Copies: White State, Yellow Claimant
MAR 18 1993

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____
If applicable provide IDWR Water Right Number 72-7066
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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 X
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments 1 Letter

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 29, 1989
Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of CLUSTER) SS.

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

SEAL

Notary Public Dorothy Kindt

Residing at Challis, Id.

My Commission Expires 3/12/92

Please Print Name

17. Notice of Appearance:

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 _____

Address _____

Date _____

Last Name BENNETT'S Ident. Number _____

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MAR 18 1992
Copies White-State, Yellow-Claimant

JAMES R. BENNETTS

ATTORNEY AT LAW

P.O. Box 36

CHALLIS, IDAHO 83226

(208) 879-4488

December 29, 1989

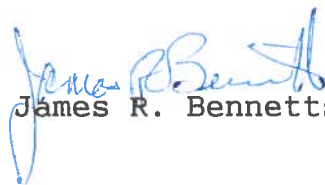
Department of Water Resources
2148 4th Avenue East
Twin Falls, Idaho 83301

Dear Sir:

The attached claim represents an application where proofs were submitted and an inspection made by Department personnel. I'm satisfied that a right exists as the follow up work was performed. However, the right did not appear on the print out received from Boise for these lands. However, I suspect this may go back to the fact that because of a typographical error, the original place of use on the application was shown as Township 9 North, Range 18 East rather than as Township 9 North, Range 19 East. The maps and related data were correct. I believed this was corrected at the time proofs were submitted as it was discussed.

Please check this out and confirm the right.

Truly yours,


James R. Bennetts

JRB:jmb

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MAR 18 1993

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT
(REGIONAL)

01/03/90 10:37:40
Page 1

Water Right Number - 72-07066 Adj. Flag Translation: Standard Water Right Number Old (D) Number -
+ - - - - Last Name - - - - + + - - - - First Name - - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
BENNETTS

JAMES R.

1 - P.O. BOX 36
2 -
3 -
City- CHALLIS
Phone -

State- ID Zip- 83226

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
01/19/1978 17 P - PERMIT

+ - - Source - - - - - + + - - Tributary - - - - - + + - -
LAKE CREEK HERD CREEK, EAST FORK

+ - - Point of Diversion - - - - - + + - -
County

Twn	Rng	Sec	Tract	Lot	Rflg	County
09N	19E	15	SW SW		(37)	CUSTER
09N	19E	16	NE SW		(37)	CUSTER

+ - - Description Period From Water Use Diversion Rate Diversion Volume
Code Period To 3.000 3.000

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
01 - IRRIGATION 04/15 10/15 3.000

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
09N	18E	7	SW SE	30.0	01	IRRIGATION	01	IRRIGATION	(37) CUSTER
09N	18E		NW NE	15.0	01	IRRIGATION	01	IRRIGATION	(37) CUSTER
09N	18E		SW NE	35.0	01	IRRIGATION	01	IRRIGATION	(37) CUSTER
09N	18E		SE NE	25.0	01	IRRIGATION	01	IRRIGATION	(37) CUSTER
09N	18E		NE SE	25.0	01	IRRIGATION	01	IRRIGATION	(37) CUSTER
09N	18E		NW SE	25.0	01	IRRIGATION	01	IRRIGATION	(37) CUSTER
09N	18E		SE SE	10.0	01	IRRIGATION	01	IRRIGATION	(37) CUSTER

Total Acres: 165.0

+ - Diversion Means - DITCH, PIPELINE & GRAVITY FLOW.

+ - Non-Irrigation Use -

+ - Other Rights for Same Use -

+ - Remarks - - - - - +
No Remarks found.

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- The permit holder shall either install a measuring device or
- provide a certified measurement by a professional engineer or
- install and access port or other device as specified by the
- Department.

+ - Decree Date - +
00/00/0000

-	R
-	P
-	Field Exam Fee
-	Swan Falls
-	Temporary Right
-	DLE/Carey Act
-	Water District
-	Transfer/Amended

MAR 18 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:

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MAR 18 1993

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Douglas Jones

DATE:
August 13, 1996 ~10:30AM

CUSTOMER:
DAVE SHAW

SUBJECT: A72-00218, A72-07066, A72-12675
phone call (X) walk-in (.)

Had question of whether -07066 overlapped p/u with -00218?
-- arranged to call him back at 373-7983 after locating files
and researching information.

Files had copies of -07066 lic. exam and notes of SRBA field review observations. Completed maps and recommendations not finalized. Information in file indicates that -07066 is a gravity delivery sprinkle irrigation system from Lake Cr on high ground above Herd Cr ditch system. The lic exam did not identify p/u overlap and the maps compared to air photos seem to show different areas irrigated for the two systems.

I called Shaw back and told him that though the recommendations are not finalized it appeared from the lic exam and SRBA notes that there isn't an overlap. He said he understood the preliminary nature of my conclusions and this rough cut was all he needed at this time.

Social amenities exchanged and willingness to assist him with such questions extended.

cc: files



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

August 28, 1995

MR. JAMES R OR MRS JO ANN BENNETTS
PO BOX 36
CHALLIS, ID 83226

RE: AMENDED CLAIM A72-07066 PER LETTER FROM DON SHAFF 07-18-1995.

Dear Jim and Jo Ann:

I called and talked to Kathy this morning to let you know that I have recieved this claim as amended per the letter you recieved from our state office and have filed it appropriately.

Please note that the legal description as you noted it previously has been changed to range 19E as opposed to the claim data which had it as 18E. The licensing procedure also shows the correct range identification.

Hope that you are all feeling well and that you have had an enjoyable summer. Best wishes.

Sincerely,

Francis G. Hitchcock
Water Resource Agent, Sr.

COPY

From: DWR03::JJOHNSON 30-AUG-1994 07:37:13.34
To: DWR60::AMERRITT
CC:
Subj: Check Legal on R72-07066

Hi Alan. I just reviewed the license proposal for the above
right and noted the R version lists the Range as 18E. We are going to
issue the license in 19E. FYI

Fvzk

This appears to be
your "R" record.

Alan

Water Right Number - R72-07066

Prefix Translation:

RESEARCH

Old (D) Number -

*** C - CURRENT OWNER ***
Last Name - First Name - Address -
BENNETTS JAMES R
1 - PO BOX 36
2 -
3 -
City- CHALLIS
Phone - 208-879-2567
1 - PO BOX 36
2 -
3 -
City- CHALLIS
Phone - 208-879-2567
State- ID Zip- 83226

BENNETTS JO ANN
State- ID Zip- 83226

Priority Date - 01/24/1978
Region - 17 SOUTHERN
Source - LAKE CREEK
Point of Diversion -
Tributary -
HERD CREEK, EAST FORK
Stage -
Status -

Twn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion
09N	19E	15	SW SW	(37)		CUSTER	
		16	SE SE	(37)		CUSTER	

Code	Description	Period From	Water Use	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	11/01		1.000	
+ - Total Div. Rate - +		+ - Total Div. Volume - +		+ - Total Consumptive Use - +		+ - KW Usage - +
1.000				200.0		

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
09N	18E	18	NW NE		5.0	01	IRRIGATION	(37) CUSTER
09N	18E	18	SW NE		25.0	01	IRRIGATION	(37) CUSTER
09N	18E	18	SE NE		15.0	01	IRRIGATION	(37) CUSTER
09N	18E	18	NE SE		15.0	01	IRRIGATION	(37) CUSTER
09N	18E	18	NW SE		15.0	01	IRRIGATION	(37) CUSTER
09N	18E	18	SE SE		5.0	01	IRRIGATION	(37) CUSTER

Total Acres: 80.0

- - - Diversion Means - DITCH, PIPELINE, GRAVITY FLOW, HAND LINES
- - - Non-irrigation Use -
- - - Other Rights for Same Use - NONE

Water right number - R72-07066

Prefix translation

Remarks
No Remarks found.

Old Water Right Numbers

7207066

Conditions of Approval
No Conditions of Approval found.

Decree Date
00/00/0000

Decree Plaintiff

Decree Defendant

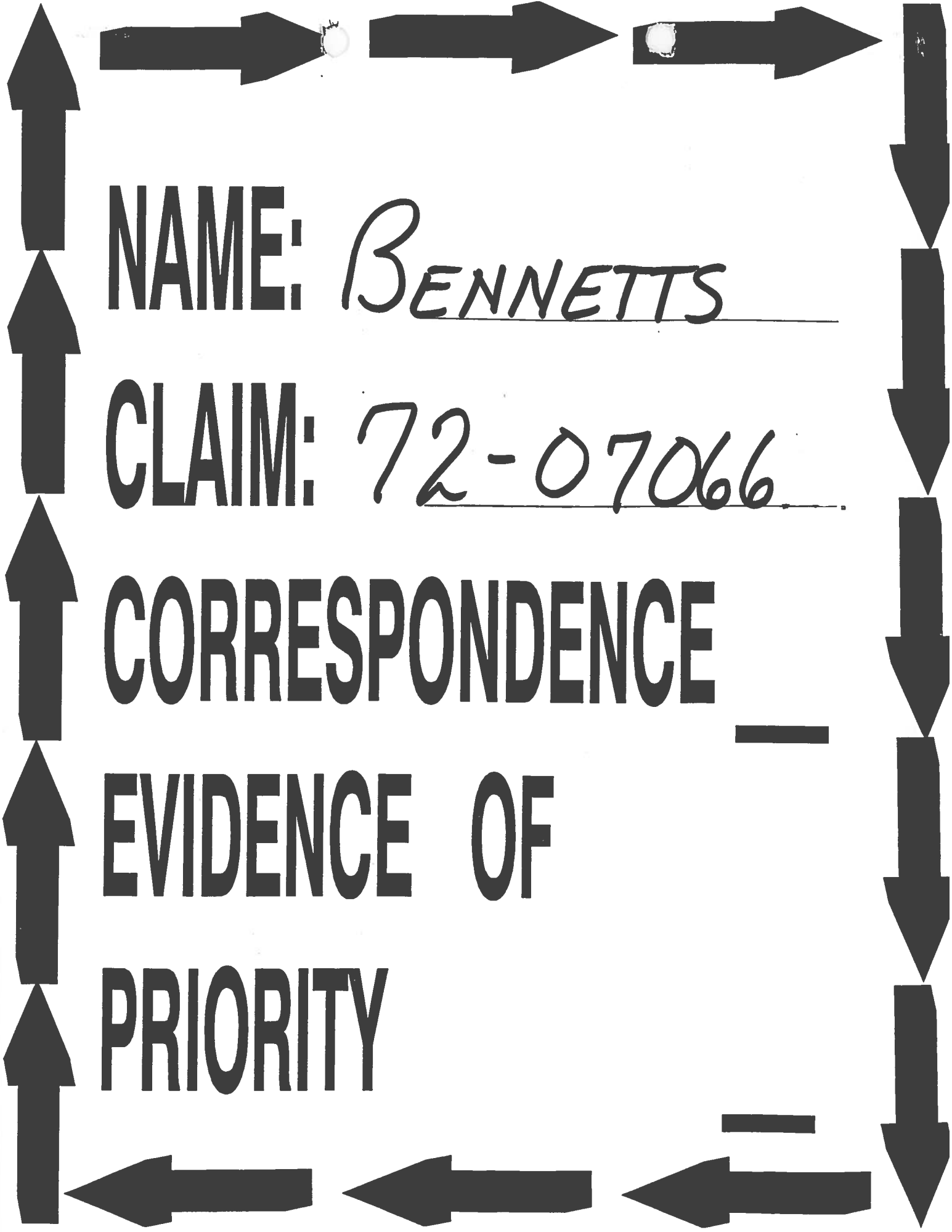
Comments
No Comments Found

Audit Fields
00/00/00

Adjudication Rights Dates and Flags Area

39576

Court Report Filing	00/00/0000	Field Inspection Made	00/00/0000	Civil Case Number	
Objection Filed Date	00/00/0000	Field Inspection Flag	00/00/0000	Old Case Number	
Response Filed Date	00/00/0000	Verified Date	00/00/0000	Old Judicial District	P
Claim Received Date	01/03/1990	Last Amended Date	S010816	Temporary Right	
		Receipt Number	Y	Water District	S
		POU Ownership Flag	OR	Federal/State Indicator	C
		Name Connector		Presumption Flag	
				Notice of Error Flag	



NAME: BENNETTS

CLAIM: 72-07066

CORRESPONDENCE

EVIDENCE OF

PRIORITY

Water Right Number - R72-07066

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
BENNETTS

JAMES R

1 - PO BOX 36
2 -
3 -

State- ID Zip- 83226

BENNETTS

JO ANN

City- CHALLIS
Phone - 208-879-2567
1 - PO BOX 36
2 -
3 -
City- CHALLIS
Phone - 208-879-2567

State- ID Zip- 83226

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
01/19/1978 17 SOUTHERN L - LICENSE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
LAKE CREEK HERD CREEK, EAST FORK

+ - - - - Twn Rng Sec Tract Lot Rflg County Point of Diversion - - - - - +
09N 19E 16 SE NE SW (37) CUSTER

+ - - - - Code Description Period From Period To Water Use Diversion Rate Diversion Volume
01 - IRRIGATION 04/15 10/15 1.080 189.00

+ - - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
1.080 189.00 0.0

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
09N	19E	18	NW NE		2.0	01 IRRIGATION	(37) CUSTER		
09N	19E	18	SW NE		19.0	01 IRRIGATION	(37) CUSTER		
09N	19E	18	SE NE		7.0	01 IRRIGATION	(37) CUSTER		
09N	19E	18	NW SE		12.0	01 IRRIGATION	(37) CUSTER		
09N	19E	18	NW SE		8.0	01 IRRIGATION	(37) CUSTER		
09N	19E	18	SE SE		6.0	01 IRRIGATION	(37) CUSTER		

Total Acres: 54.0

+ - - - - Diversion Means - DITCH, PIPELINE, GRAVITY FLOW, HAND LINES
+ - - - - Non-Irrigation Use -
+ - - - - Other Rights for Same Use - NONE

Water right number - R72-07066

Prefix Translation: RESEARCH

+ - - - - - Remarks - - - - - +

USE
THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE APRIL 15 AND AFTER OCTOBER 15 UNDER THIS
REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED
EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE
DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

+ - - - - - Old Water Right Numbers - - - - - +

7207066

+ - - - - - Conditions of Approval - - - - - +

C18 - 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.

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

+ - - - - - Comments - - - - - +

Date: 07/14/1995 User Id: DSHAF Subject: DATA ENTRY
LICENSE ISSUED 8/30/94 WAS USED SOLELY. OVERLAPPING RIGHTS THAT HAVE YET FOR THE REVIEW TO SHOW IN R-RECORDS WILL INFLUENCE THE
REMARKS AND/OR CONDITIONS FOR THIS RIGHT. AN AMENDED CLAIM HAS BEEN SOLICITED ALTHOUGH THE DATA ENTRY HERE PRECEDES THE FILING
OF THE AMENDED CLAIM.
Date: 11/04/1998 User Id: VHANCOCK Subject: CALCULATED ACRES
NOTE THAT ACRES CALCULATED USING GIS ARC VIEW PROGRAM DON'T AGREE WITH ACRES FOUND BY MR FIELD EXAMS DATED 9-9-87 AND 9-22-92. GIS
USED NAPP AERIAL PHOTOGRAPHY, IDWR #74NE, FLIGHT DATE 9-14-88 RECOMMENDED AS LICENSED.
Date: 11/21/1998 User Id: AUJ10-DS Subject: AUJ10 CONDITION UPDATE
CONDITION CODE(S) C16 ADDED IF NOT ALREADY PART OF RECORD THRU AUJ10.
Date: 12/21/1999 User Id: VHANCOCK Subject: RECOMMENDATION CHANGE
POD LEGAL CHANGED FROM MESESE SEC 15 T09N R19E IN RESPONSE TO SFS SIGNED 12-1-99, AND LETTER FROM CLAIMANT STATING THAT POD LISTED
ON LICENSE, AND HANDWRITTEN MAP INCLUDED WITH ORIGINAL SIGNED NOTICE OF CLAIM, WAS CLERICAL OR OTHER ERROR.

+ - - - - - Audit Fields - - +
12/21/99 VHANCOCK

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 01/29/1999	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 06/02/1999	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 01/03/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S010816	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- OR	Presumption Flag	-
				Notice of Error Flag	-

JAMES R. BENNETTS

ATTORNEY AT LAW

P.O. Box 36

CHALLIS, IDAHO 83226-0036

FAX

(208) 879-4248

TELEPHONE
(208) 879-4488

December 1, 1999

Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

RE: Water Right No. 72-07066

Dear Sirs:

The point of diversion of this water right is now where it was when originally claimed, licensed and determined by the survey of the rights of way. The point of diversion is through a ditch that was in existence even previous to licensing and it has never moved except as to minor changes (a few feet) dictated by stream corrections.

The documents showing the diversion point in Section 15 must have been due to clerical or other error as there was never an intent (or reason) to move the point of diversion. (See SF-5 attached).

Very truly yours,

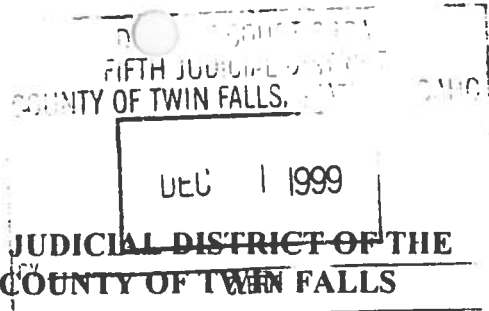

James R. Bennetts

JRB:k

RECEIVED

DEC 6 1999

Department of Water Resources



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 No. 72-07066

Case No. 39576

Standard Form 5

STIPULATED ELEMENTS
OF A WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine the facts, date, expert opinions and law supporting the issuance of a partial decree for the water right.

The parties agree that the Snake River Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

James R. Bennetts
Jo Ann Bennetts

OBJECTOR:

United States on behalf of the
Bureau of Land Management

James R. Bennetts 12/1/99
James R. Bennetts Date
Jo Ann Bennetts 12/1/99
Jo Ann Bennetts Date

Larry A. Brown 12/1/99
Larry A. Brown Date
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

IDWR CONCURRENCE:

Jim Quinn 12/1/99
Date

IDWR CONCURRENCE:

APPROVED AS TO FORM
Nick Spencer 12-1-99
Date

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHTS FROM: SOURCE: LAKE CREEK TRIBUTARY: HERD CREEK, EAST FORK

RIGHT NUMBER: 72-07066

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

SOURCE: LAKE CREEK

TRIBUTARY: HERD CREEK, EAST FORK

QUANTITY: 1.08 CFS
189.0 AFY

PRIORITY DATE: 01/19/1978

POINT OF

DIVERSION: T09N R19E S15
S16

NESWSW
SENESW

Within CUSTER County

PURPOSE AND

PERIOD OF USE: PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04-15 10-15

QUANTITY
1.08 CFS
189.0 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION
T09N R19E S18

NWNE 2
SENE 7
NWSE 8

Within CUSTER County
SWNE 19
NESE 12
SESE 6

54 ACRES TOTAL

~~CONSUMPTIVE USE: 135.0 AFY~~

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

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 72:

WATER RIGHT NO.

SOURCE

NONE

NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF
WATER IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL
OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.

SOURCE

NONE

NONE

ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED
SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE
ADMINISTERED CONJUNCTIVELY.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

Fwp
NE JKL
Sun

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. **FAX filings will not be accepted by the SRBA Clerk of the Court.**

You must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I certify that on December 1, 1999, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

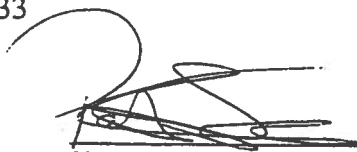
2. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 83720
Boise, ID 83720-0098

James R. Bennetts
Jo Ann Bennetts
P.O. Box 36
Challis, ID 83226

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

United States Department of Justice
Adjudication Team
550 W Fort St., MSC 033
Boise, ID 83724



Signature of person or attorney mailing the form

Hancock, Vikie

From: Denniston, Sara
Sent: Monday, November 22, 1999 11:35 AM
To: Hancock, Vikie
Subject: RE: B72 objections

Vikie,

Pat Brown wants to talk about these in person during the initial hearings in basin 72. So, could you brief Jeanie and Steve on this so they can be prepared?

Thanks

> -----Original Message-----

> **From:** Hancock, Vikie
> **Sent:** Monday, November 15, 1999 10:54 AM
> **To:** Denniston, Sara
> **Cc:** Hancock, Vikie
> **Subject:** B72 objections

> Sara,

> Do you have the copies of the claim files up there? I am
> sending you a copy of the Gov't plats that we have here that
> shows the discrepancy in the Gov't Lot numbers. Also, if the
> the Bennetts on 72-07066 agree with the BLM on their survey,
> we probably need to see a copy of that survey that shows the
> POD in section 16 not 15 as licensed and claimed, before we
> can agree to that, huh?

> I'll have the stuff for Baker and Bennetts in the mail to you
> today. Let me know if you need it FAXed.

> Vikie

Hancock, Vikie

From: Hancock, Vikie
Sent: Wednesday, November 10, 1999 4:26 PM
To: Denniston, Sara
Subject: B72 objections/Pat Brown

Sara,

I got your message (all three parts), but was in a meeting with Don Shaff here most of the afternoon!!!

I have had the chance to look up only one of the rights - 72-07066. The reason that the POD was recommended in the SWSW Sec 15 is because that's the way the right was licensed and claimed in the adjudication. I had no reason to believe that the POD had been changed, if it indeed has, since commencement. Perhaps they need to file a transfer? The proof due date is 1985 but the licensing field exam was in 1993. I see that section 16 is a state owned section as opposed to 15 which is federal. I'll send you the original signed claim on this, which includes a hand written map, and a copy of the license .

I'll get to the others tomorrow, I don't think there will be a problem with their proposals if I remember the claims correctly

Hancock, Vikie

From: Denniston, Sara
Sent: Wednesday, November 10, 1999 11:20 AM
To: Hancock, Vikie
Subject: FW:

OK, still having problems with this stupid thing, I'll try again

>

> sorry, e-mail problems

> >

> > Vikie,

> >

> > Pat Brown called me with some proposed settlements that he
> > and the BLM came up with for some of his clients in basin 72.
> > I think they are all yours. Can you please look at these
> > and let me know if you are ok with them and for those that
> > they want to delete acres, whether they also need to reduce
> > the rate of flow.

> >

Eddie Baker

72-10302A, 10303, 10304--they're just specifying that the 5 acres in NENW section 1 of POU is in lot 6
72-10302B--they want to delete 3 acres w/in SWSW section 11 of POU

Gary Ingram

72-00226A, 00227A--want to delete .5 acres in NWSE section 1, and 3.2 acres in NENW section 1 from POU

James & Joanne Bennetts

72-07066--POD issue. it was recommended as NESWSW section 15, but Pat says the survey shows it in
SWNESW

section 16, and the BLM and claimant agree with the survey. He says they're not sure how IDWR came
up with its recommendation.

CS

RECEIVED

JUN 29 1999

Department of Water Resources
Southern 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 SRBA

Case No. 39576

A. Subcase 72-07066

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown 208 387-0835; R. Lee Leininger, 202 305-0242; Paul F. Holleman, 202 305-0494

United States Department of Justice; Environment and Natural Resource Division; General Litigation Section
550 West Fort Street, MSC 033; Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: James R & Jo Ann Bennetts

Address: PO Box 36 Challis, ID 83226

Name:

Address:

Name:

Address:

Name:

Address:

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☒ **Point(s) of Diversion**
Should be: See attached _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____
11. **I object because:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

The United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant's use of Federal land is unauthorized. See attached POD. Claimant's water right should not include this POD.

F.

VERIFICATION (Must be Completed)

State of Idaho)

) ss.

County of Ada)

Gary A. Madenford, Water Rights Team Leader, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Gary A. Madenford
(Signature of person filing objection)

Larry A. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: June 1, 1999

John W. Thornburgh

John W. Thornburgh

Notary Public for Idaho

Residing at: Boise

My Commission Expires: 05-16-2003

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on June 2nd, 1999, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: James R & Jo Ann Bennetts
Address: PO Box 36 Challis, ID 83226
Name:
Address:
Name:
Address:
Name:
Address:

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449


Signature of Objector or attorney mailing on Objector's behalf

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: JAN-26-1999
PAGE: A-505

RIGHTS FROM: SOURCE: LAKE CREEK TRIBUTARY: HERD CREEK, EAST FORK

RIGHT NUMBER: 72-07066

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

PODOLV BLM; No ROW.

SOURCE: LAKE CREEK

TRIBUTARY: HERD CREEK, EAST FORK

QUANTITY: 1.08 CFS
189.0 AFY

PRIORITY DATE: 01/19/1978

POINT OF DIVERSION: T09N R19E S15

NESWSW BLM

Within CUSTER County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE
IRRIGATIONPERIOD OF USE
04-15 10-15QUANTITY
1.08 CFS
189.0 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE APRIL 15 AND AFTER OCTOBER 15 UNDER THIS
REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED
EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE
DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION
T09N R19E S18
54 ACRES TOTAL

Within CUSTER County

NWNE 2 ✓
NWSE 8 ✓SWNE 19 ✓
SESE 6 ✓

SENE 7 ✓

NESE 12 ✓

CONSUMPTIVE USE: 135.0 AFY

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

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: JAN-26-1999
PAGE: A-506

RIGHTS FROM: SOURCE: LAKE CREEK TRIBUTARY: HERD CREEK, EAST FORK
RIGHT NUMBER: 72-07066 (CONT)

OTHER PROVISIONS: (CONT)

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN BASIN 72:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.	SOURCE
NONE	NONE

ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES
OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
CONJUNCTIVELY.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 15
QUICKLOOK INFORMATION

CLAIM NUMBER: A72-07066

09:27:55
10/06/98

MR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV		D. Shatt 7-18-95	F. Hitchcock 9-7-93 J. Stunbo 9-22-92	N	F. Hitchcock 8-2-93 9-7-93	V. Hancock 10-6-98		
SOURCE				N				
PLACE OF USE	Y			N				
DIV. AMOUNT CFS/VOLUME		O Shatt 7-18-95		N				
CONSUMPTIVE USE				N				
PURPOSES OF USE				N				
PERIOD OF USE				Y				
BASIS OF CLAIM				N				
REMARKS				N				

BARCODE UPDATED
WHOM/DATE

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A72-07066

LAST: BENNETTS
ADDRESS: PO BOX 36
CITY: CHALLIS
PHONE NUMBER: 208-879-2567
STATE: ID ZIP: 83226

OWNER CODE: C

LAST: BENNETTS
ADDRESS: PO BOX 36
CITY: CHALLIS
PHONE NUMBER: 208-879-2567
STATE: ID ZIP: 83226

OWNER CODE: C

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
NO REMARKS IN CLAIM
DATABASE N
FIELD EXAMINER

FIELD EXAMINATION INFORMATION

CONTACT PERSON: Jim Bennett
DATE OF FIELD EXAM: 8/2/93
ACCOMPANIED BY: 8-9-7-93
RELATIONSHIP TO CLAIMANT:
APPOINTMENT MADE: Y() N()
PHONE NUMBER: () -
TIME: : A() P()
PHONE NUMBER: () -

DIRECTIONS TO PROPERTY / NOTES:

Field exams done by AJ Agent Frank Whitecock on 8-2-93 and 9-7-93.
Field exams done by WR Agent Jim Stanton 9-22-92 for licensing

A. AJ CLAIM: # A72-07066	PRIORITY DATE: 01-19-1978	STAGE: L
B. WR RECORD: # 72-07066	PRIORITY DATE: 01-19-1978	STAGE: L
C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE?		Y(✓) N()
D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE?		Y() N(✓)
E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE? (IF YES, DESCRIBE BELOW)		Y() N(✓)
F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?		
PROOF OF BENEFICIAL USE SUBMITTED		N/A() Y(✓) N()
FIELD EXAM COMPLETED		N/A() Y(✓) N()
FIELD EXAM SENT TO STATE OFFICE		N/A() Y(✓) N()
LICENSE ISSUED		N/A() Y(✓) N()
* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT, USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.		
G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE OF THE PRIORITY DATE REQUIRED?		N/A(✓) Y() N()
* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED, INCLUDING THE ANALYSIS OF THE EVIDENCE.		
H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?		Y(✓) N()

NOTES:

RECOMMENDED PRIORITY DATE:

01-19-1978

REVIEWED BY

[Signature]

DATE

10-6-98

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	1/4	LOT	FLAG	POD	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A72-07066	09N	19E	15						SW	SW	CUSTER	

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX A72-11769
R PREFIX 72-11769
A72-11770
new source { A72-11770 Bunk Stock

MR RECORDS IN SAME 40 ACRE TRACT

NONE

SOURCE: LAKE CREEK

TRIB: HERD CREEK, EAST FORK

B. MR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	1/4	LOT	FLAG	POD	COUNTY	DIVERSION NAME	DIVERSION NUMBER
72-07066	09N	19E	15						SW	SW	CUSTER	

OTHER MR RECORDS WITH SAME MR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX
R PREFIX

NONE
A72-11769 72-11769
A72-11770

SOURCE: LAKE CREEK

TRIB: HERD CREEK, EAST FORK

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM 9-22-92) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NAME OF EXAMINER) Y() N()

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (✓)

TRIB: HERD CREEK, EAST FORK

SYSTEM DESCRIPTION: DESCRIBED BELOW (), SEE LICENSE FILE (X), OR SEE ATTACHMENT ()

A. ROOT WATER RIGHT NUMBERS:

A72-07066
A72-07066A
21d
R72-07066A
R72-07066

B. POJ LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	MR #/ACRES	LANDSAT DATA	UR FIELD EXAM.	RECOMM. ACRES
09N	19E	18	NW	NE		BENNETTS, JAMES R	A72-07066 / 2.0	72-07066 / 2.0	6-15		
			NW	NE		BENNETTS, JAMES R	R72-00218 / 25.0	72-00218 /			
			NW	NE		BENNETTS, JAMES R	A72-00218 / 25.0	-			
			NW	NE		BENNETTS, JAMES R	A72-16275 / 25.0	-			
			NW	NE		BENNETTS, JAMES R	R72-07066 / 2.0	-			
			NW	NE		BENNETTS, JAMES R	A72-04060 / 25.0	-			
09N	19E	18	SW	NE		BENNETTS, JAMES R	A72-07066 / 19.0	72-07066 / 19.0			
			SW	NE		BENNETTS, JAMES R	R72-00218 / 10.0	72-00218 /			
			SW	NE		BENNETTS, JAMES R	A72-00218 / 10.0	-			
			SW	NE		BENNETTS, JAMES R	A72-16275 / 10.0	-			
			SW	NE		BENNETTS, JAMES R	R72-07066 / 19.0	-			
			SW	NE		BENNETTS, JAMES R	A72-04060 / 10.0	-			
09N	19E	18	SE	NE		BENNETTS, JAMES R	A72-07066 / 7.0	72-07066 / 7.0			
			SE	NE		BENNETTS, JAMES R	R72-00218 / 10.0	-			
			SE	NE		BENNETTS, JAMES R	A72-00218 / 10.0	-			
			SE	NE		BENNETTS, JAMES R	A72-16275 / 10.0	-			
			SE	NE		BENNETTS, JAMES R	R72-07066 / 7.0	-			
			SE	NE		BENNETTS, JAMES R	A72-04060 / 10.0	72-04060 / 5.0			
			SE	NE		STATE OF IDAHO	72-07485 /				
09N	19E	18	NE	SE		BENNETTS, JAMES R	A72-07066 / 12.0	72-07066 / 12.0			
			NE	SE		BENNETTS, JAMES R	R72-00218 / 10.0	72-00218 /			
			NE	SE		BENNETTS, JAMES R	A72-00218 / 10.0	-			
			NE	SE		BENNETTS, JAMES R	A72-16275 / 10.0	-			
			NE	SE		BENNETTS, JAMES R	R72-07066 / 12.0	-			
			NE	SE		BENNETTS, JAMES R	A72-04060 / 10.0	-			
09N	19E	18	NW	SE		BENNETTS, JAMES R	A72-07066 / 8.0	72-07066 / 8.0			
			NW	SE		BENNETTS, JAMES R	R72-07066 / 8.0	-			
			NW	SE		FRY, RHODA	72-00218 /				
09N	19E	18	SE	SE		BENNETTS, JAMES R	A72-07066 / 6.0	72-07066 / 6.0			
			SE	SE		BENNETTS, JAMES R	R72-07066 / 6.0	-			
			SE	SE		BENNETTS, JAMES R	R72-00218 / 10.0	-			
			SE	SE		BENNETTS, JAMES R	A72-00218 / 10.0	-			
			SE	SE		BENNETTS, JAMES R	A72-16275 / 10.0	-			

3.2 6 6

7.1 8 8

11 12 12

7.4 7 7

10 14 14

2 2 2

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	LR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
		SE	SE			BENNETTS, JAMES R	A72-04060	/ 10.0	-		-
ADDITIONAL POU FOUND											

TOTAL ACRES A72-07066 54.00 54.00 38.7 54.0 54.0

POU COUNTY: CUSTER

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

Y() N(✓)

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A72-07066	LAKE CREEK	BENNETTS, JAMES R	1.080	0.020	189.00	3.50
R72-00218	HERD CREEK	BENNETTS, JAMES R	1.800	0.010		
A72-00218	HERD CREEK	BENNETTS, JAMES R	1.850	0.011		
~~A72-04060~~	HERD CREEK	BENNETTS, JAMES R	4.000	0.024		
R72-07066	LAKE CREEK	BENNETTS, JAMES R	1.080	0.020	189.00	3.50
A72-16275	HERD CREEK	BENNETTS, JAMES R	4.000	0.024		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N(✓)

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: A72-00218, A72-16275

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y(✓) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y(✓) N()

Pou for 07066 Does not overlap 00218 + 16275

Return 16275

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N(☒)

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N(☒)

CHECK DOCUMENTS USED TO VERIFY POU:

(☒) ORTHOPHOTOQUAD, IDNR NO. V 74; () TOPOGRAPHIC QUAD, IDNR NO. V 74;
(☒) NAPP, IDNR NO. V 74 NE; () ASCS PHOTO; () OTHER

NOTES:

Irrigated acres calculated for licensing exam
using 7000 & 174 diagrams with irrigated
area calculated using Acc View GIS with
1988 NAPP Aerial photography & quarter-quarter
overlay.
Irrigated acres recommended a licensed.

RECOMMENDATIONS:

TOTAL ACRES:

54

N/A()

REVIEWED BY:

Spencer

DATE:

10-6-98

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A72-07066 IRRIGATION	FROM 04-15 TO 10-15	1.080 CFS	189.00 AF/A
TOTAL DIVERSION RATE/VOLUME		1.080 CFS	189.00 AF/A

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
72-07066 IRRIGATION	FROM 04-15 TO 10-15	1.080 CFS	189.00 AF/A
TOTAL DIVERSION RATE/VOLUME		1.080 CFS	189.00 AF/A

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE?

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM?

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS?

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS?

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM?

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A() Y() N()

N/A() Y() N()

Y() N()

Y() N()

Y() N()

Y() N()

N/A() Y() N()

N/A() Y() N()

N/A() Y() N()

N/A() Y() N()

NOTES:

Recommend as licensed with appropriate
season of use condition code

AJ CLAIM TOTAL DIVERSION RATE: 1.080 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.080 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(✓) N()
B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y(✓) N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N(✓)

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y() N(✓)

E. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from pou review)

1b. CALCULATIONS

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N()
IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

*See WR licence file -
copy in claim*

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 189.00 AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 135.0 AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE CFS	EXAMINER	VOL. AF/A	EXAMINER	USE	EXAMINER
IRRIGATION	04-15	10-15	DATABASE 1.080	EXAMINER	DATABASE 189.00	EXAMINER	DATABASE 135.0	EXAMINER
TOTAL FOR THIS RIGHT			1.080	✓	189.00	✓	135.0	✓

NON-IRRIGATION USES CLAIMED:

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REVIEWED BY:

[Signature]

DATE: 10-6-98

FLAG:

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

(Season 8 Use.)

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED
()
()
()
NEEDS REVIEW
()
()
()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 72-07066
TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
1.080

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
72-07066	A72-07066	1.080	R72-07066	1.080	72-07066	1.080

TOTAL CFS

1.080

1.080

1.080

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE Y FIELD EXAMINER Y () N ()

NOTES:

NO SPLITS

AUTHENTICATION:
SIGNATURE: _____
DATE: _____

10-6-98

NAME OF FIELD EXAMINER: Lizette Hancock TITLE: Water Resource Agent

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
☐ ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
☒ TOPOGRAPHIC	DATE FIELD CHECKED <u>7-24-24</u> IDWR ID NO. <u>174</u>	Y() N()
☒ MAP	DATE OF PHOTO <u>8-14-88</u> IDWR ID NO. <u>174-7C</u>	Y() N()
☐ ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
☐ ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
☐ BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
☐ TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
☐ SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
☐ SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
☐ OTHER _____	DATE _____	Y() N()
☐ OTHER _____	DATE _____	Y() N()
☐ OTHER _____	DATE _____	Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
☒ LICENSING FIELD EXAM	DATE OF FIELD EXAM <u>9-22-92</u>	<u>and</u>	<u>9-9-87</u>
☒ WATER RIGHT LICENSE	DATE LICENSE SIGNED <u>8-30-94</u>	<u>1</u>	
☐ IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____		
☐ SYSTEM DESCRIPTION	DATE DRAWN _____		
☒ PHOTOGRAPHS	DATE(S) PHOTOS TAKEN <u>8-2-93</u>	<u>1</u>	
☐ SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____		
☐ HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____		
☐ CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____		
☒ FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED <u>no licensing exam</u>		
☐ OTHER _____	DATE _____		
☐ OTHER _____	DATE _____		

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

SEP - 7 1994

WATER RIGHT NO. 72-07066

Department of Water Resources
Northern Region Office

Priority: January 19, 1978

Maximum Diversion Rate:

1.08 CFS

Maximum Diversion Volume:

189.0 AF

This is to certify, that JAMES R BENNETTS

PO BOX 36

CHALLIS ID 83226

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 19, 1978; and has submitted Proof of Beneficial Use on July 24, 1985. An examination indicates that the works have a diversion capacity of 1.330 cfs of water from:

LAKE CREEK

tributary to HERD CREEK, EAST FORK

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	1.08 CFS	189.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 15, Township 09N, Range 19E
CUSTER County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09N	19E	18	NWNE 2	SWNE 19	SENE 7	
			NESE 12	NWSE 8	SESE 6	54

Total number of acres irrigated: 54

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
6. The issuance of this right in no way grants any right-of-way or easement across the land of another.

4/92

IDAHO DEPARTMENT OF WATER RESOURCES

STAFF ANALYSIS SHEET FOR BENEFICIAL USE FIELD EXAMS:

PERMIT NO.

72-7066

A. Items To Be Placed In Exam File (Items A & B to be Completed by Compiler)

- (☒) Blank Field Report & Notice of Completed Exam
(☒) Copy of App. for Permit, Approved Permit, Amendments, Orders, Assignments, Proof of Beneficial Use, SRBA Claim (Claim Filed? _____ Required? _____)
() Well Inspection Form, Dairy Water-Use Worksheet (if applicable)
() Well Log(s) & Groundwater Measurement Analysis Form (if applicable)
(☒) Copy of Orthophotoquad Map
(☒) 660-Scale Aerial Photo (Examiner Will Obtain If Applicable)
() Government Lot Plats (If Applicable)

B.1. P/D Overlap - Yes or No? If Yes, Include Copy of Overlapping Rights & Claims

- If Yes, Type of Overlap: () Add Acres or Uses to Existing System
() Increase Rate of Flow or Volume

B.2. P/U Overlap - Yes or No? If Yes, Include Copies of Overlapping Rights & Claims

- If Yes, Type of Overlap: () Increase Rate of Flow or Volume
() Add Supplemental Water Source
() Increase Acres Within Tracts

C. Field Exam Appointment Made:

Date 7-22-92

Time _____

Place Office of Permit

Contact Person & Phone _____

D. Post-Exam Review & Processing

Exam Completed ~~10-22-93~~ 7-22-92 Notice of Completion Turned In ✓

Field Report Completed 10-22-93

J. E. Stanton 10-22-93
Signature of Examiner & Date

Field Report Reviewed by Sr. Agent _____ (Initial & Date)

Field Report Reviewed by Region Mgr. _____ (Initial & Date)

Field Report Sent to S.O. _____ Region Card File Updated _____

LICENSING FIELD EXAM

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

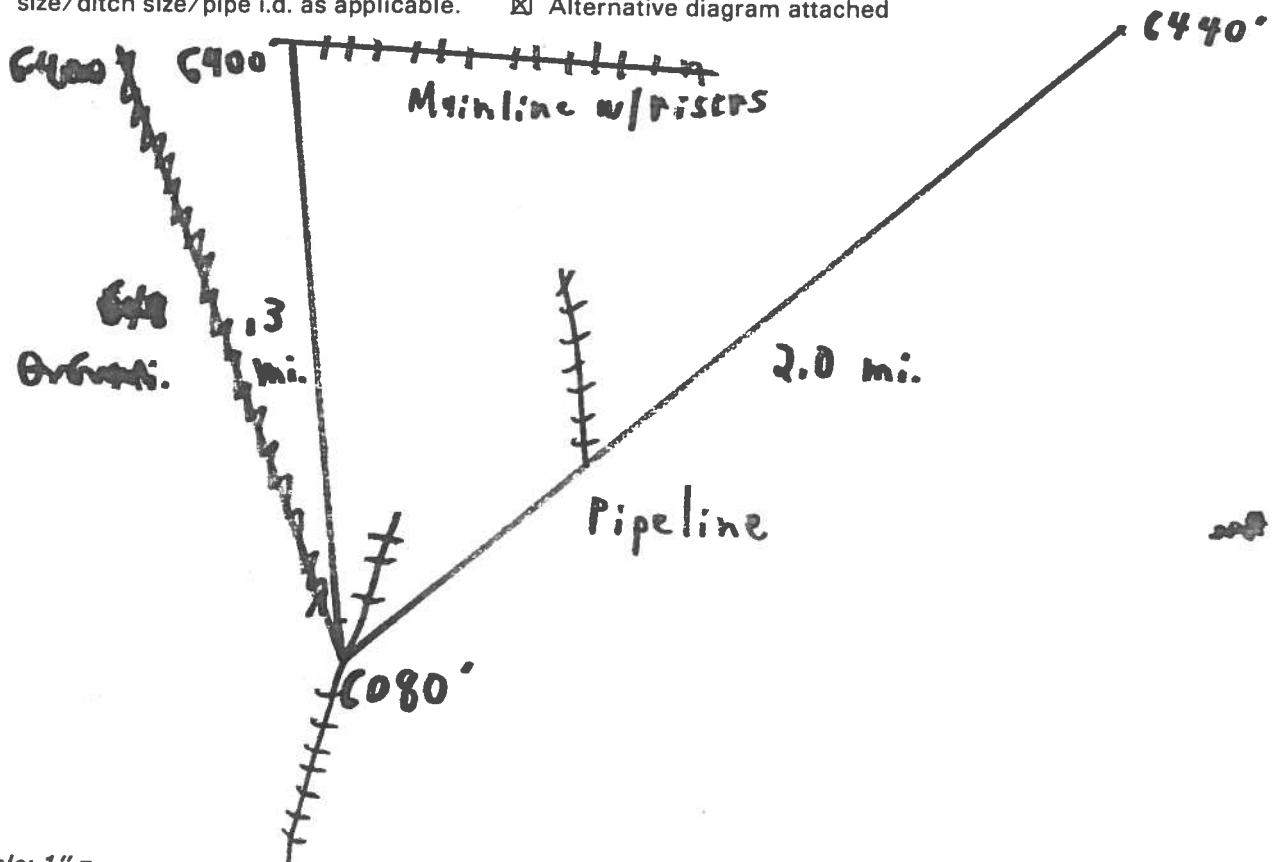
1. Owner: James Bennetts Permit No. 72-07066
Current Address: P.O. Box 36, Challis, ID 83226 Phone No. _____
2. Accompanied by: Permittee EXAM. DATE: 7-22-92 + 9-9-87
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: Lake Creek tributary to Herd Creek

B. OVERLAP REVIEW

1. Other water rights with same place of use: _____
_____ ☐ Copies Attached
2. Other water rights with same point of diversion: None
_____ ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. Diversion System Diagram: Indicate all major components and distances between components. Indicate well size/ditch size/pipe i.d. as applicable. ☒ Alternative diagram attached



Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required). ☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

System Description (continued)

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Check dam & ditch to buried pipeline. Pipeline pressurizes gravity sprinkler system for irrigation of pasture. Risers in Herd Creek bottomland area are opened for flow irrigation & to relieve pressure on sprinklers when handlines along Herd Cr. are used.

P/D is at about 6400', lowest point is about 6100' at Herd Creek. Elevation then climbs again to a bit less than 6400' at top of pipeline. Elevation then decreases as the mainline runs north along the upper side of the west field.

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

*Code to correspond with No. on map and aerial photo

5. **Point(s) of Diversion:**

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NE	SW	SW	15	9N	19E	Cluster	

6. **Place(s) of Use:**

Indicate Method of Determination Quad Map

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9N	19E	18		2	19	7									12	8		6	54

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☒ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Annubar, Manometer						

2. Measurements:

~~Not~~ Measured at 0.58 cfs in September (~~low flow time of year~~).

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

ASCS calculated & flow of 600 gpm = 1.34 cfs Allow 0.02 cfs x 54 ac. = 1.08 cfs

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 54 \times 3.5 = 189.0$

$V_{DP} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.08 \times 184 \times 1.9835 = 394.2$

$V = \text{Smaller of } V_{IR} \text{ and } V_{DP} = 189.0$

2. Volume Calculations for Other Uses:

H. REMARKS AND OVERLAP REVIEW ANALYSIS

The east field has not been irrigated for a couple of years - handlines were stolen, & applicant could not afford to replace them. He still plans to irrigate this property, so I am recommending it for licensing.

System flow is pretty constant throughout the season, according to Mr. Bennett's. Apparently, flows from Herd Lake maintain lake creek.

Original P/D was further downstream, but was moved due to flood damage in 1987. Could be moved again if stream channel moves again.

Large west field is planted to sainfoin, an alfalfa-like forage crop. Other areas are in natural grasses for livestock use.

Reason for low measurement unknown. But based on ASCS system design, recommend system be licensed for 1 1/4 acre. It does not seem likely that this system could be operated properly with the amount measured.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	4-15	10-15	1.08	189
Totals:			1.08	189

2. Recommended Amendments

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☒ None

☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

J. AUTHENTICATION

Field Examiner's Name J E Stanton

Signature J E Stanton

Certification Date _____

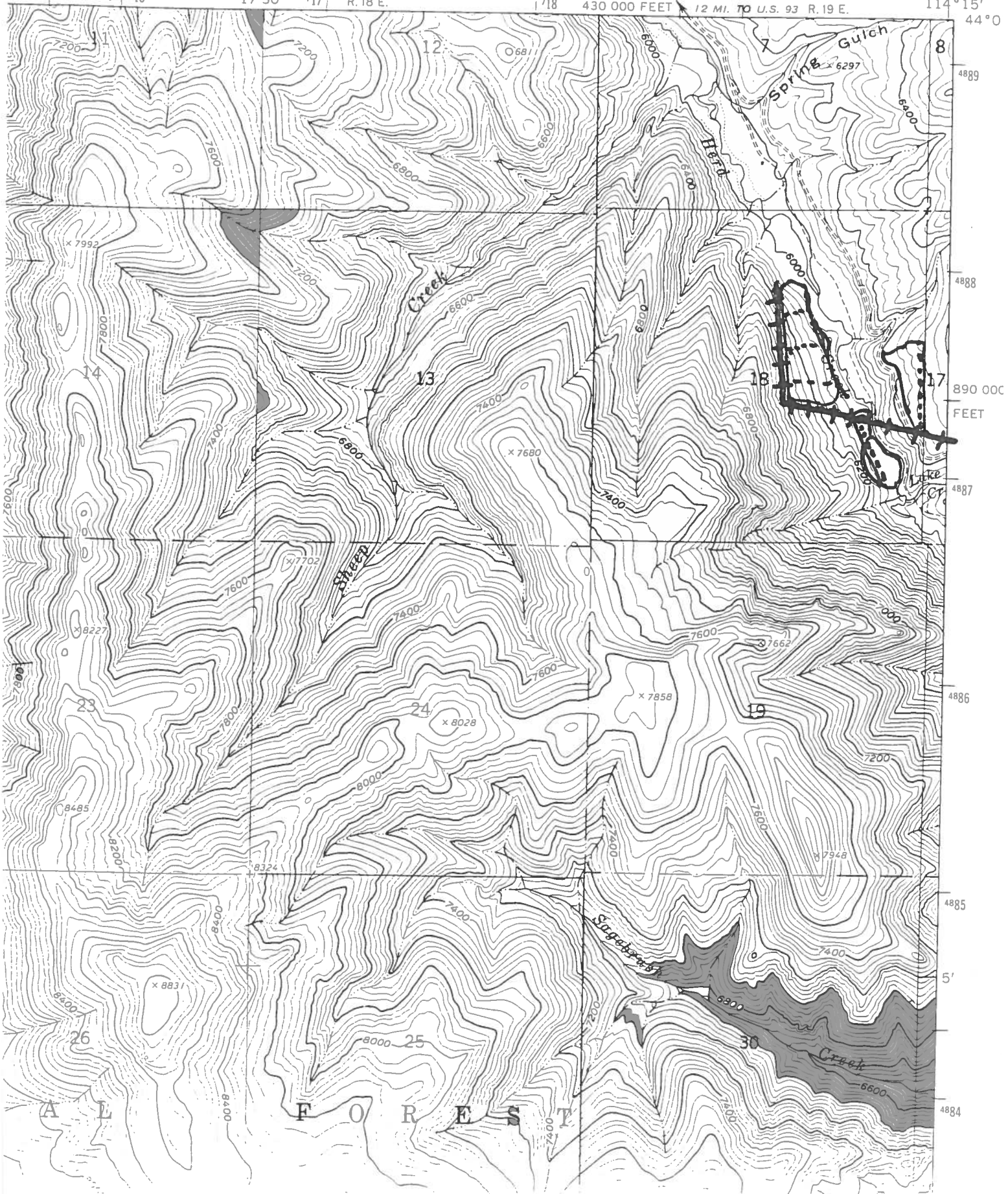
Field Report Preparation Date 10-22-93

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

(B)

114°15' 44°0



(208) 879-4488

JAMES R. BENNETTS

ATTORNEY AT LAW

P.O. Box 36

CHALLIS, IDAHO 83226

May 7, 1993

RECEIVED

MAY 11 1993

Department of Water Resources
Southern Region Office

James E. Stanton
Idaho Department of Water Resources
222 Shoshone Street East
Twin Falls, ID 83301

Re: Herd Creek Ranch Water Right, Custer County

Dear Mr. Stanton:

I am enclosing a copy of the work sheet prepared by SCS on the pipeline capacity of the Herd Creek water system you requested. This, along with the earlier data submitted, should help indicate the usage.

I am sorry this took so long to find, but the local SCS office is controlled out of Salmon (Ralph Swift) and we couldn't locate the data when I first tried.

I would say the design was to deliver 65+ inches as compared to about 2/3 that amount if pumped.

Very truly yours,

James R. Bennetts

JRB:jab
Enclosures

Jim Roberts

Gravity system

Diversion Location 0.001 S.W. 1/4 Sec.
T. 8 N. R. 19 E.

Along 2 miles 8" steel

1/2 mile 6" Aluminum

3-4" 3" laterals

$Q = 600 \text{ GPM}$

water pump

Elev. Lift 210'

Dist to field 700'

H.P. 50

$Q = 400 \text{ GPM}$

Est. cost- material

8" steel // 31,500.00

6" Aluminum 6,336.00

2-3" 3" laterals 2,800.00

Total \$40,636.00

Water Right Number - R72-07066

Prefix Translation: RESEARCH

Old (D) Number -

*** C - CURRENT OWNER ***
BENNETTS

JAMES R

1 - PO BOX 36
2 -
3 -

State- ID Zip- 83226

BENNETTS

JO ANN

City- CHALLIS
Phone - 208-879-2567
1 - PO BOX 36
2 -
3 -

State- ID Zip- 83226

Priority Date - - - +
01/19/1978

Region - - - +
17 SOUTHERN

Stage - - - +
L - LICENSE

Status - - - +

Source - - - - - +
LAKE CREEK

Tributary - - - - - +
HERD CREEK, EAST FORK

Twn	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion
09N	19E	15	NE SW SW			(37) CUSTER	

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	10/31		1.080	189.00
+ - Total Div. Rate - +		+ - Total Div. Volume - +		+ - Total Consumptive Use - +		+ - KW Usage - +
1.080		189.00		41/5 - 10/15		135.0

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
09N	19E	18	NW NE		2.0	01	IRRIGATION	(37) CUSTER	
09N	19E	18	SW NE		19.0	01	IRRIGATION	(37) CUSTER	
09N	19E	18	SE NE		7.0	01	IRRIGATION	(37) CUSTER	
09N	19E	18	NE SE		12.0	01	IRRIGATION	(37) CUSTER	
09N	19E	18	NW SE		8.0	01	IRRIGATION	(37) CUSTER	
09N	19E	18	SE SE		6.0	01	IRRIGATION	(37) CUSTER	

Total Acres: 54.0

- + - - Diversion Means - DITCH, PIPELINE, GRAVITY FLOW, HAND LINES
- + - - Non-Irrigation Use -
- + - - Other Rights for Same Use - NONE

Prefix Translation: RESEARCH

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER OCTOBER 15 UNDER THIS RIGHT IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Adjudication Rights Dates and Flags Area						
Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	-	39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-	
Response Filed Date	- 00/00/0000	Verified Date	- 11/14/1998	Old Judicial District	-	
Claim Received Date	- 01/03/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P	
		Receipt Number	- S010816	Water District	-	
		POU Ownership Flag	- Y	Federal/State Indicator	- S	
		Name Connector	- OR	Presumption Flag	-	
				Notice of Error Flag	-	

CLAIM NUMBER72-07066DATE10-5-98TRANSFER NUMBER
AGENTDHLCLAIMED ACRE TOTAL54
GIS ACRE TOTAL40

	TWP	RNG	SEC	NE				NW				SW				SE				
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
CLAIM	9N	19E	18		2	19	7									12	8		6	5
GIS					8	10	7.4									12	7.1		3.2	39
RECOM					2	19	7									12	8		6	5
CLAIM																				
GIS																				
RECOM																				
CLAIM																				
GIS																				
RECOM																				

B72-DBPOU.SHP
SHAPE NOS.
163
164
165

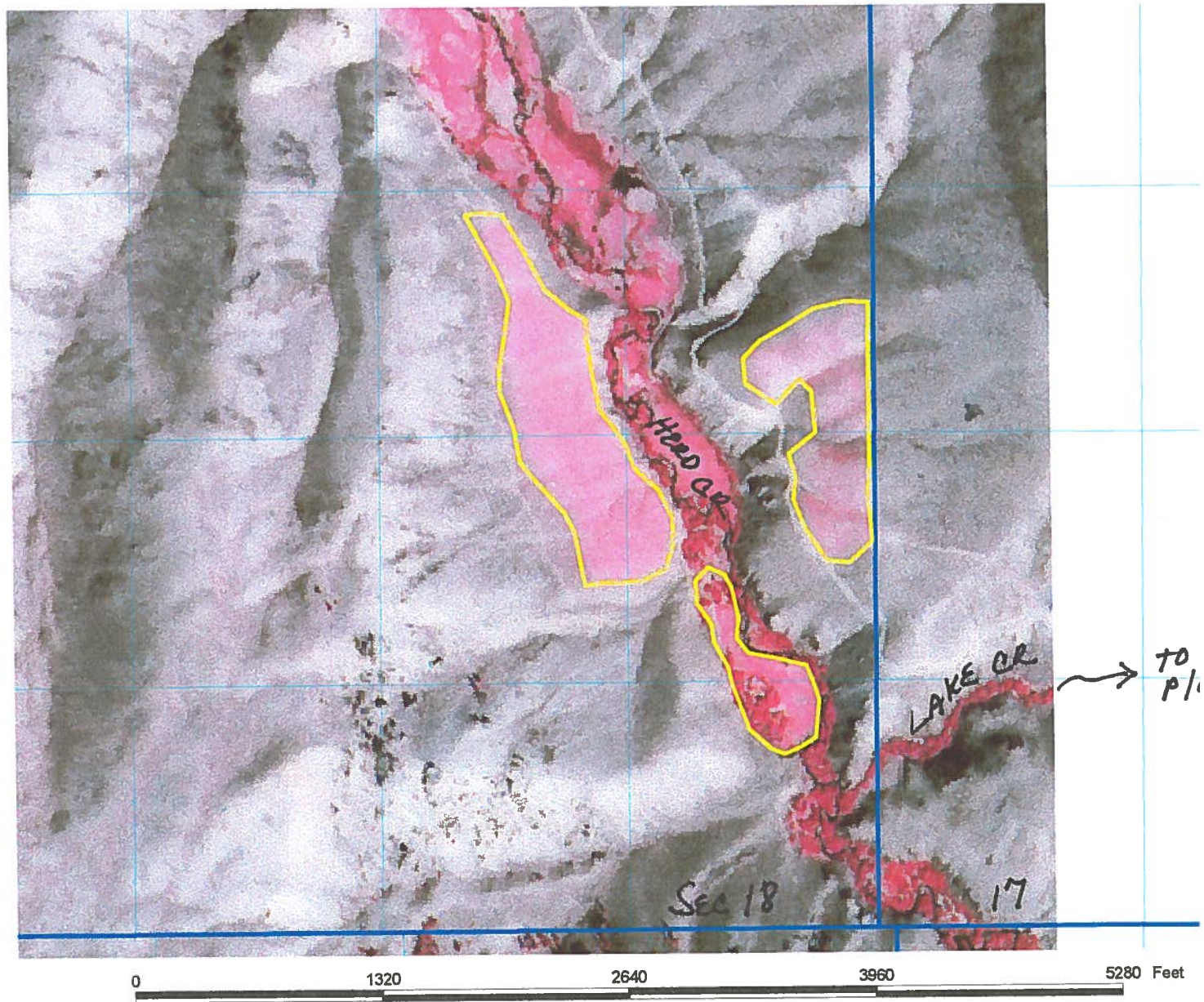
B72-DBPOD.SHP
NOS. DESCRIPTION
80
Aerial photography FOWR # V 74 NE
Flight date 9-14-88.
Recommended as licensed

DBF TABLES UPDATED
B72-DBPOU.DBF
B72-DBPOD.DBF

GIS

RIGHT 72-07066
BENNETTS

RECOMMENDED PLACE OF USE
TWP 09N, RNG 19E, SEC 18
data entry on October 5, 1998



- RECOMMENDED PLACE OF USE
- RECOMMENDED POINT OF DIVERSION
- SECTION LINES
- QUARTER/QUARTER LINES
- SUBDIVISION LOT BOUNDARIES

GIS PLACE OF USE PRESENTATION
1987 OR 1988 NAPP AERIAL PHOTOGRAPHY
DATA ENTRY BY VIKIE HANCOCK

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

SEP - 7 1994

WATER RIGHT NO. 72-07066

Department of Water Resources
Northern Region Office

Priority: January 19, 1978

Maximum Diversion Rate:

1.08 CFS

Maximum Diversion Volume:

189.0 AF

This is to certify, that JAMES R BENNETTS

PO BOX 36

CHALLIS ID 83226

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 19, 1978; and has submitted Proof of Beneficial Use on July 24, 1985. An examination indicates that the works have a diversion capacity of 1.330 cfs of water from:

LAKE CREEK

tributary to HERD CREEK, EAST FORK

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	1.08 CFS	189.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 15, Township 09N, Range 19E
CUSTER County

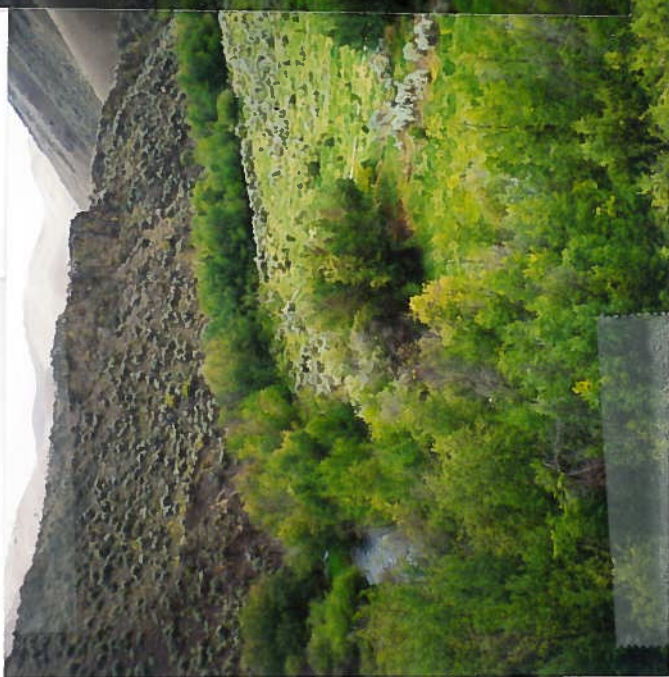
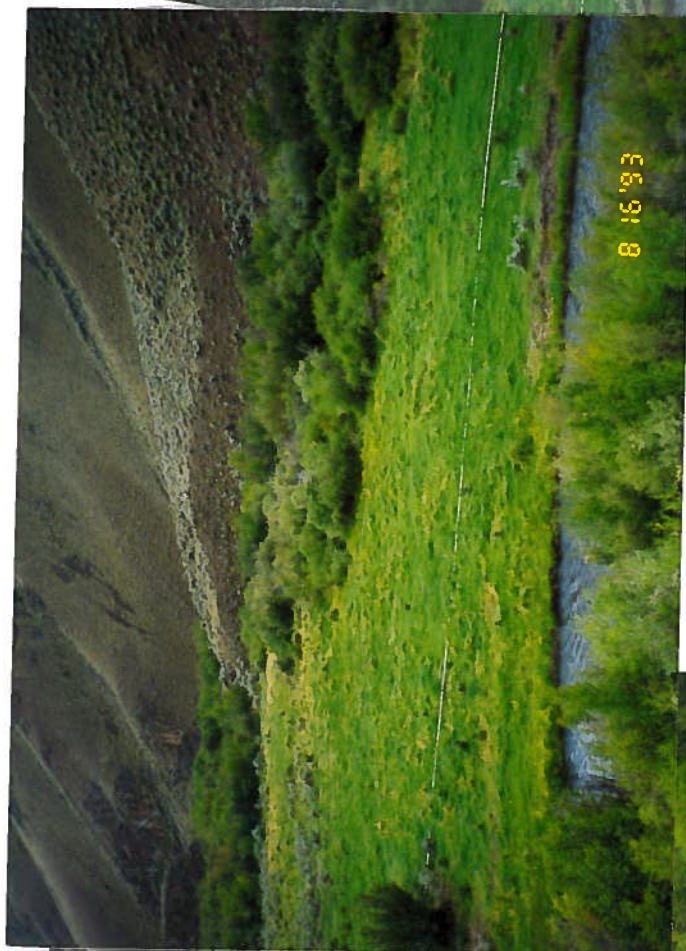
PLACE OF USE: IRRIGATION

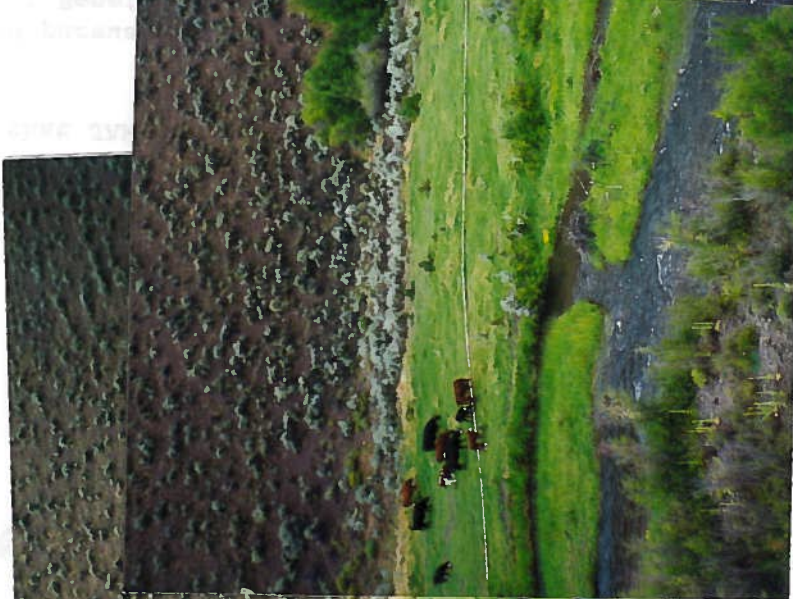
<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09N	19E	18	NWNE 2	SWNE 19	SENE 7	
			NESE 12	NWSE 8	SESE 6	54

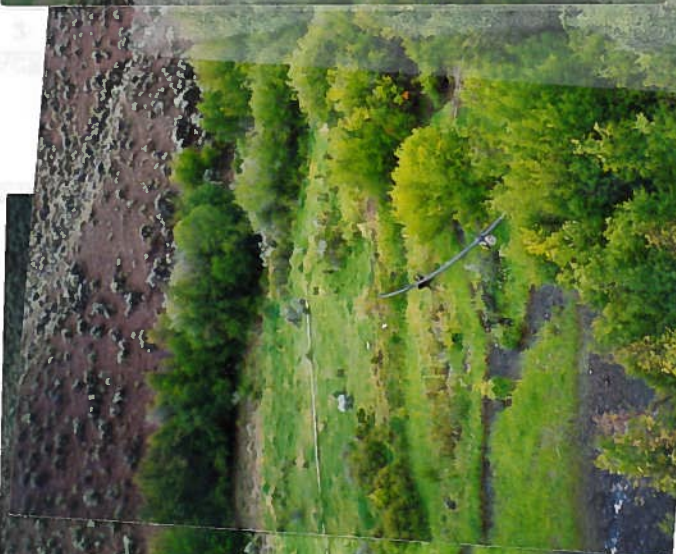
Total number of acres irrigated: 54

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
6. The issuance of this right in no way grants any right-of-way or easement across the land of another.

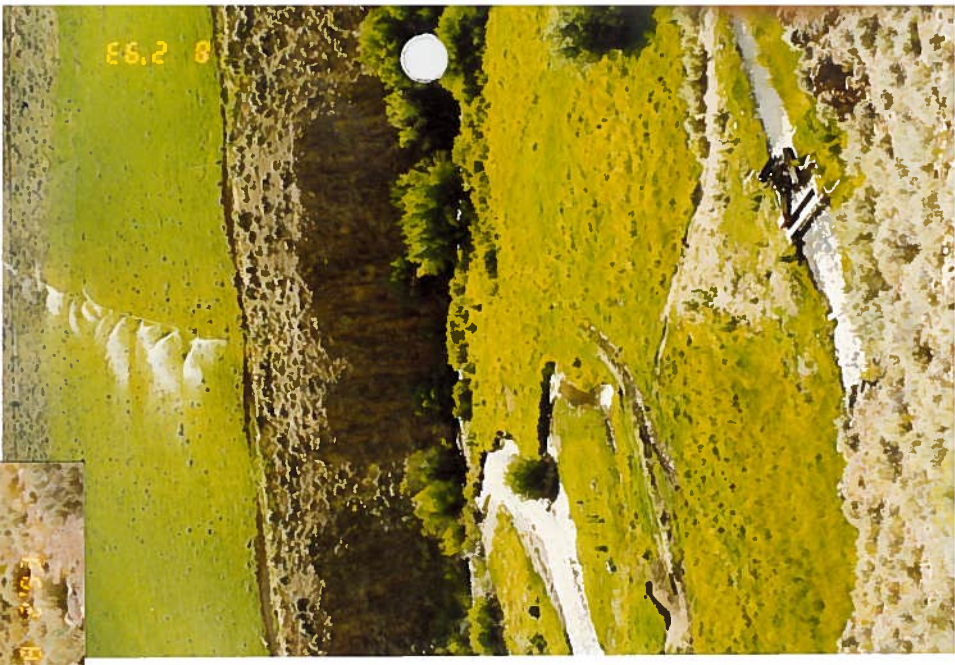




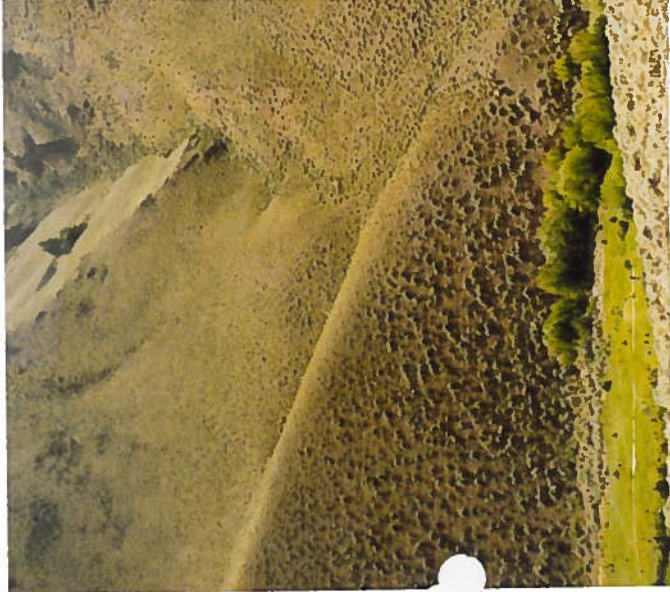
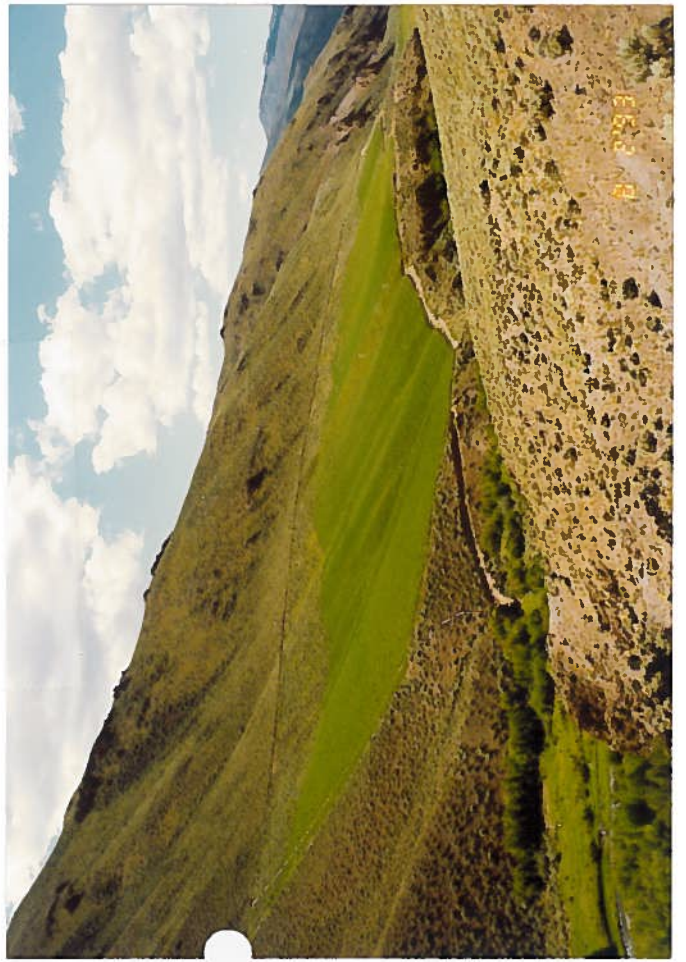
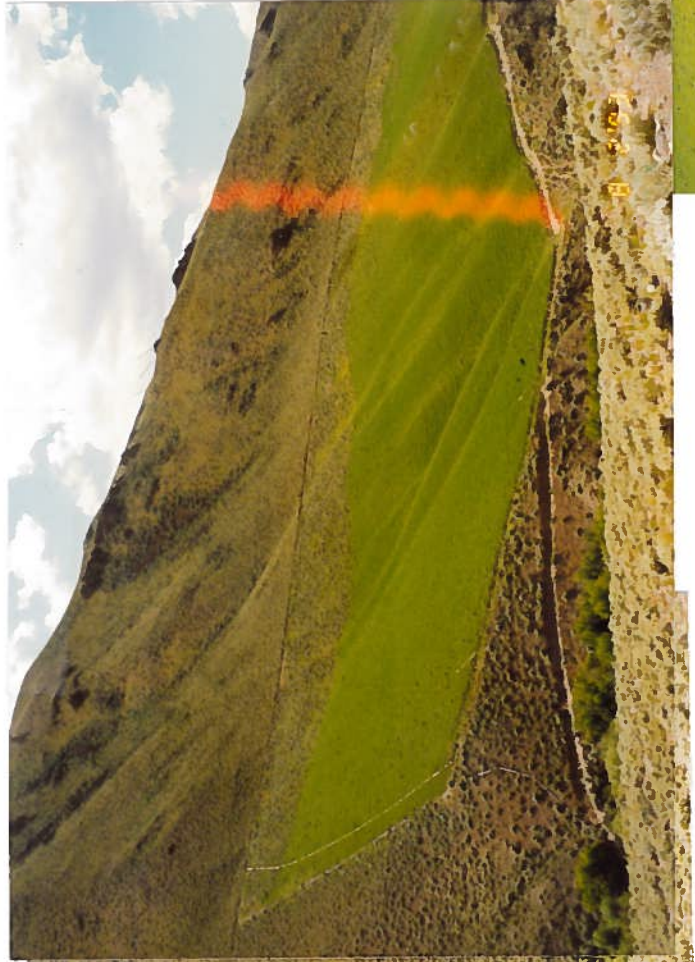


ATTENTION
STAFF
RECEPTION
HOTEL
HOTEL

HOTEL



SEE PHOTO
BACK FOR
DESCRIPTION



2.7 miles of 8" pipe

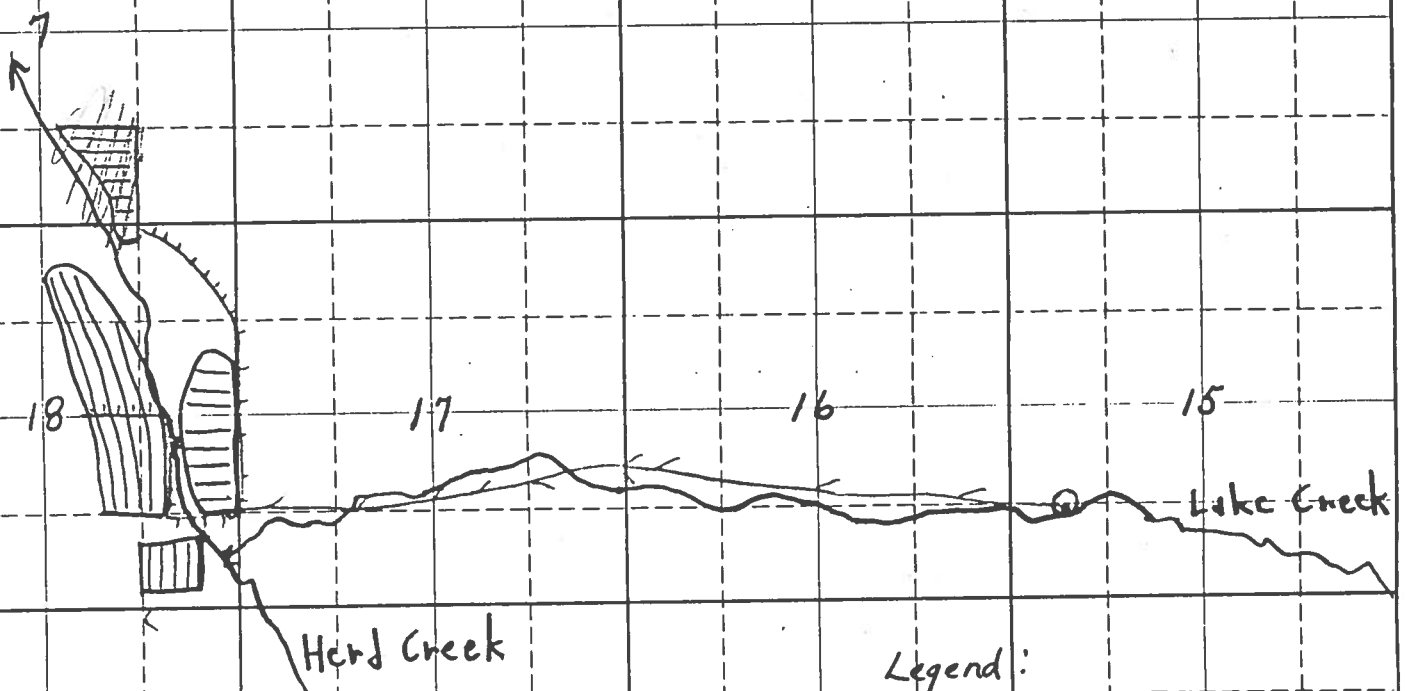
7.83" ID

CUSTER County, Idaho

Map of proposed project:

TWP. 9 N.

R. 19 E.B.M.



Scale: 2 inches equal 1 mile

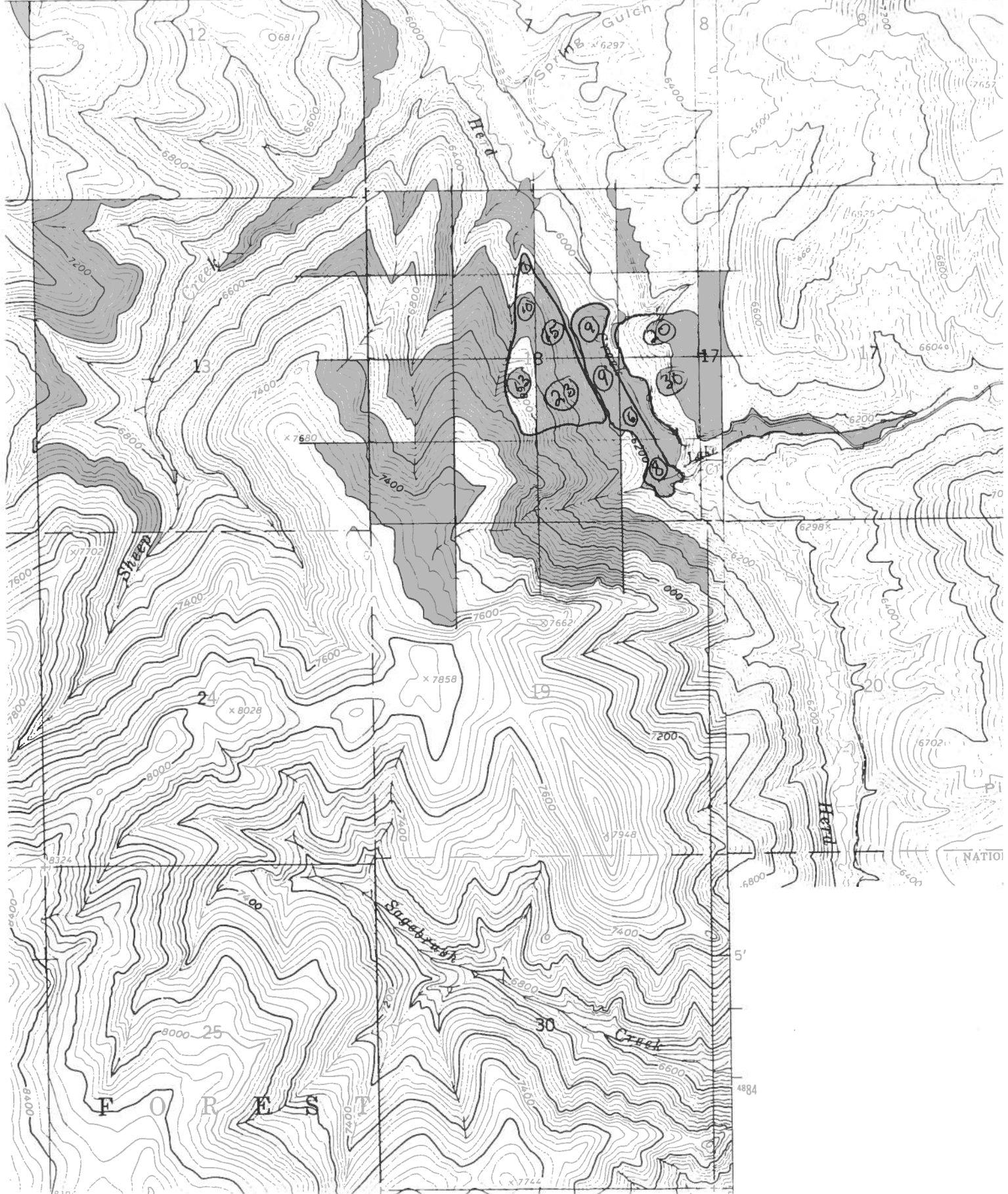
BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

James R. Smith
(Applicant)

BOWERY PEAK QUADRANGLE
IDAHO-CUSTER CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

17°30" 17 R. 18 E. 18 430 000 FEET 12 MI. TO U.S. 93 R. 19 E. 114°15' 721 000m E.



Do not use this space

D. FLOW MEASUREMENTS

☒ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Annular						

2. Measurements:

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: 26 psi x 2.31 = 60.1 ft (1); Dynamic pumping level: _____ ft (2)
Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)
Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)
Meter Input HP: (6) x 1.34 = _____ (7)
Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Ampsx .001732 = _____ (6)
Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____
 $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____
 $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

while test was done there were about 60
heads going. "1/64" nozzles
System is a gravity flow system

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SW	SW	15	9N	19E	Custer	

6. Place(s) of Use:

Indicate Method of Determination _____

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Do not use this space

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

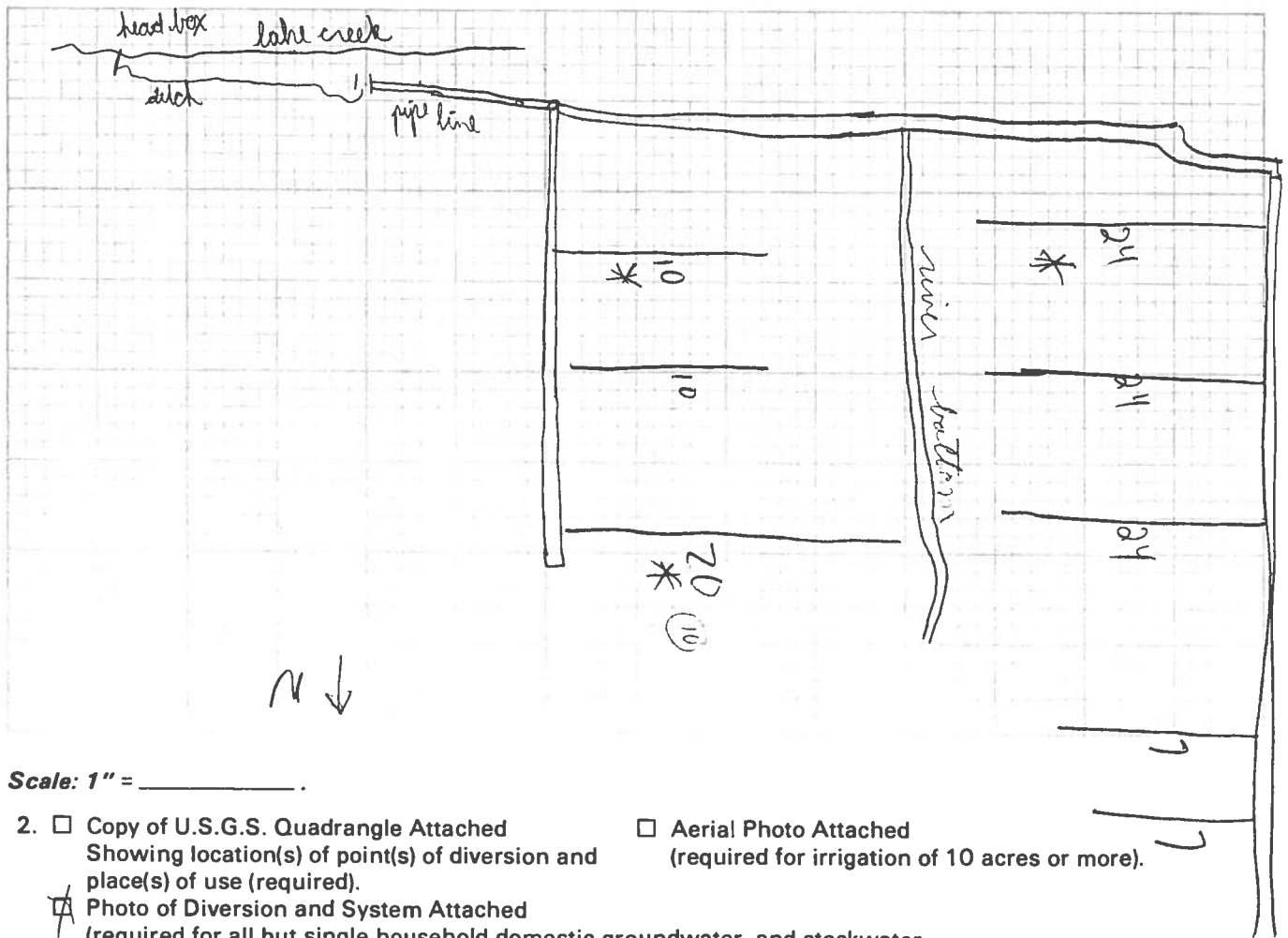
Permit No. 72-7066
Phone No. 879-4488
1. Owner: James R Bennetts
Current Address: Box 36 Challin Idaho 83226
2. Accompanied by: James Bennetts EXAM. DATE: 9-9-87
Address: same Phone No. same
Relationship to Permit Holder: owner
3. Source: Lake creek tributary to Head Creek tributary to E Fork Salmon River

B. OVERLAP REVIEW

1. Other water rights with same place of use: no overlap ☐ Copies Attached
2. Other water rights with same point of diversion: no overlap ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____.

2. ☐ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required). ☐ Aerial Photo Attached (required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).



State of Idaho
DEPARTMENT OF WATER RESOURCES
SUPPLEMENTAL FIELD REPORT FOR ANNUBAR MEASUREMENT

Measured by: Dann

Date 9-9-87

Owner: _____

Permit No. 72-7066

Description of well &/or measuring site

- Include any clarifications of the sketch
- Include legal description if more than one p.d. is described in the Field Report

MEASURED INSIDE PIPE DIAMETER IN INCHES (ID)

CIR = Pipe Circumference in Inches = 26.16
T = Pipe Thickness in Inches = 1/4
ID = $2 [(0.1592 \times \text{CIR}) - T] = \dots\dots\dots$ 7.83

ANNUBAR DESCRIPTION & CONSTANT (C)

Size Used in Test 8"

State ID No. _____

Select C based on size from Table below.

Nominal Pipe Size	C
4"	4.23
6"	3.75
8"	3.87
10"	3.94
12"	3.99
14"- 16"	4.01
18"- 24"	4.02
30" or larger	4.03

C selected 3.87

DIFFERENTIAL PRESSURE READING IN INCHES OF H₂O (H)

High Reading = 36.3

Low Reading = 35.1

High - Low = H = ... 1.2

CALCULATION OF DISCHARGE IN CFS (Q)

$$Q = \frac{(ID)^2 \cdot (\sqrt{H}) \cdot (C)}{448.8}$$

$$Q = \frac{(7.83)^2 (\sqrt{1.2}) (3.87)}{448.8} = \underline{.58} \text{ CFS}$$

SKETCH (If not shown on Field Report)





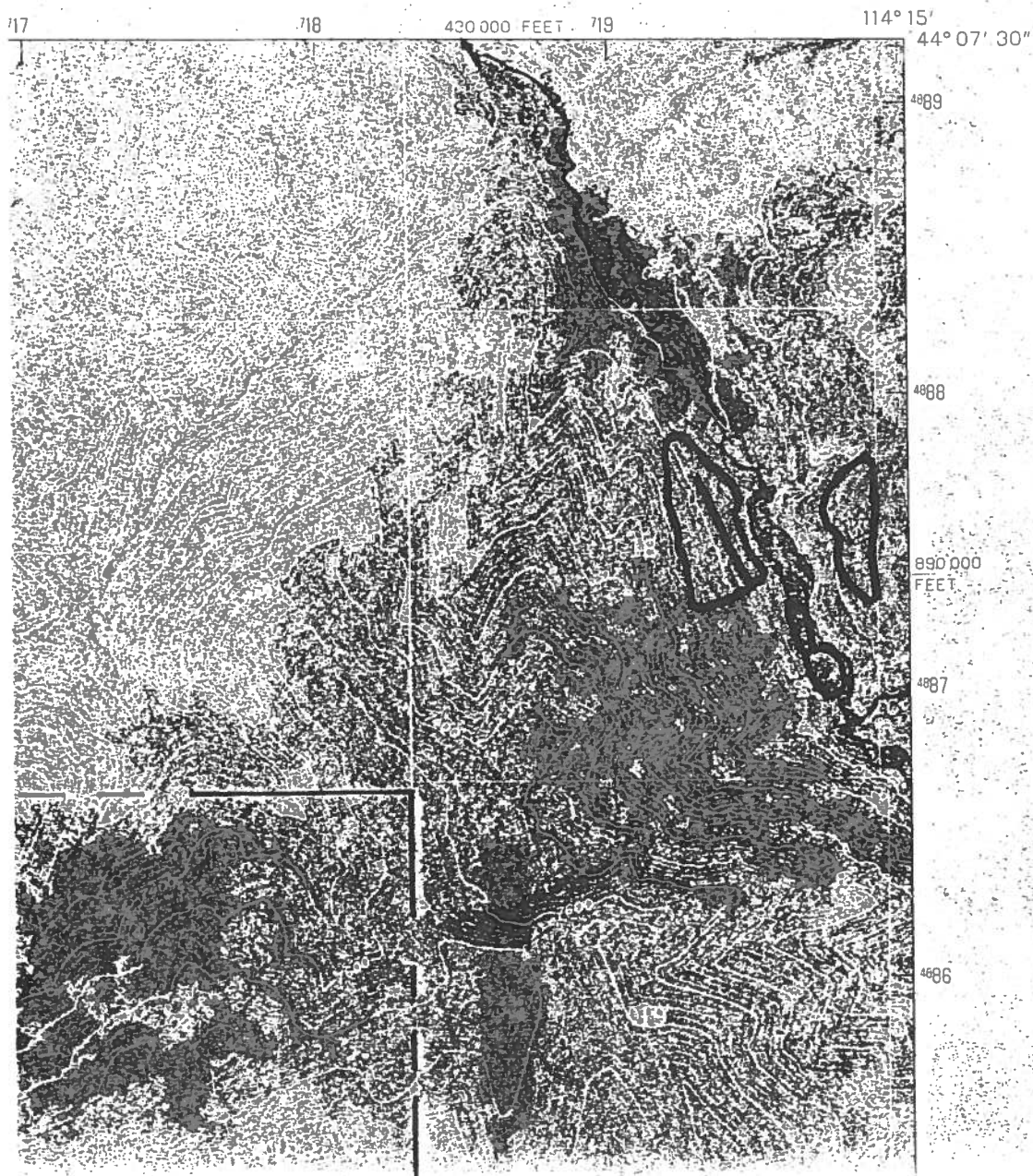
DRAWING NUMBER

ON • IRVINE, CALIFORNIA
NUMBER 07549

PLAN HOLD CORPORATION • IRVINE, CALIFORNIA
REORDER BY NUMBER 07549

①

BOWERY PEAK QUADRANGLE
IDAHO
7.5 MINUTE SERIES (ORTHOPHOTOQUAD)



H. REMARKS AND OVERLAY REVIEW ANALYSIS

The east field has not been irrigated for a couple of years - handlines were stolen, & applicant could not afford to replace them. He still plans to irrigate this property, so I am recommending it for licensing.

System flow is pretty constant throughout the season, according to Mr. Bennetts.

Apparently, flows from Herd Lake maintain Lake Creek.

Original P/D was further downstream, but was moved due to flood damage in 1989?. Could be moved again if stream channel moves again.

Large west field is planted to Sainfoin, an alfalfa-like forage crop. Other areas are in natural grasses.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	4-15	10-15		
Totals:				

2. Recommended Amendments

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☐ None

☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

J. AUTHENTICATION

Field Examiner's Name _____

Signature _____

Certification Date _____

Field Report Preparation Date _____

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)
Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____

$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} =$ _____

2. Volume Calculations for Other Uses:

System Description (continued)

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Check dam & ditch to buried pipeline. Pipeline pressurizes gravity sprinkler system for irrigation of pasture. Risers in Herd Creek bottomland area are opened for flood irrigation & to relieve pressure on sprinklers when handlines along Herd Cr. are used.

P/D is at about 6400', Lowest point is about 6100' at Herd Creek. Elevation then climbs again to a bit less than 6400' at top of pipeline. Elevation then decreases as the mainline runs north along the upper side of the west field.

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

*Code to correspond with No. on map and aerial photo

5. **Point(s) of Diversion:**

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
6400		NE	SW	SW	15	9N	19E	Custer	

6. **Place(s) of Use:**

Indicate Method of Determination Quad Map

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9N	19E	18		2	19	7									12	8		6	54

Do not use this space

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 72-07066

1. Owner: James Bennetts Phone No. _____

Current Address: P.O. Box 36, Challis, ID 83226

2. Accompanied by: Permittee EXAM. DATE: 7-22-92 + 9-9-87

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: Lake Creek tributary to Herd Creek

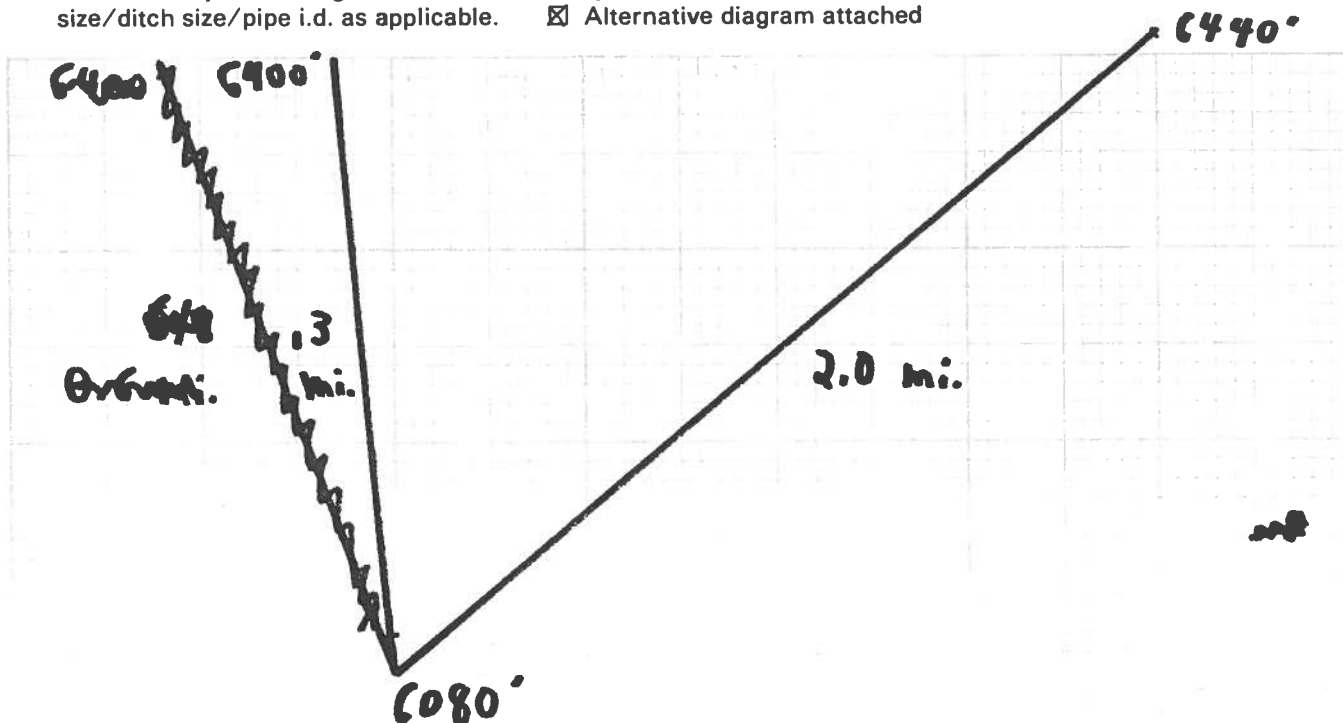
B. OVERLAP REVIEW

1. Other water rights with same place of use: _____
_____ ☐ Copies Attached

2. Other water rights with same point of diversion: None
_____ ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. Diversion System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☒ Alternative diagram attached



Scale: 1" = _____

2. ☐ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

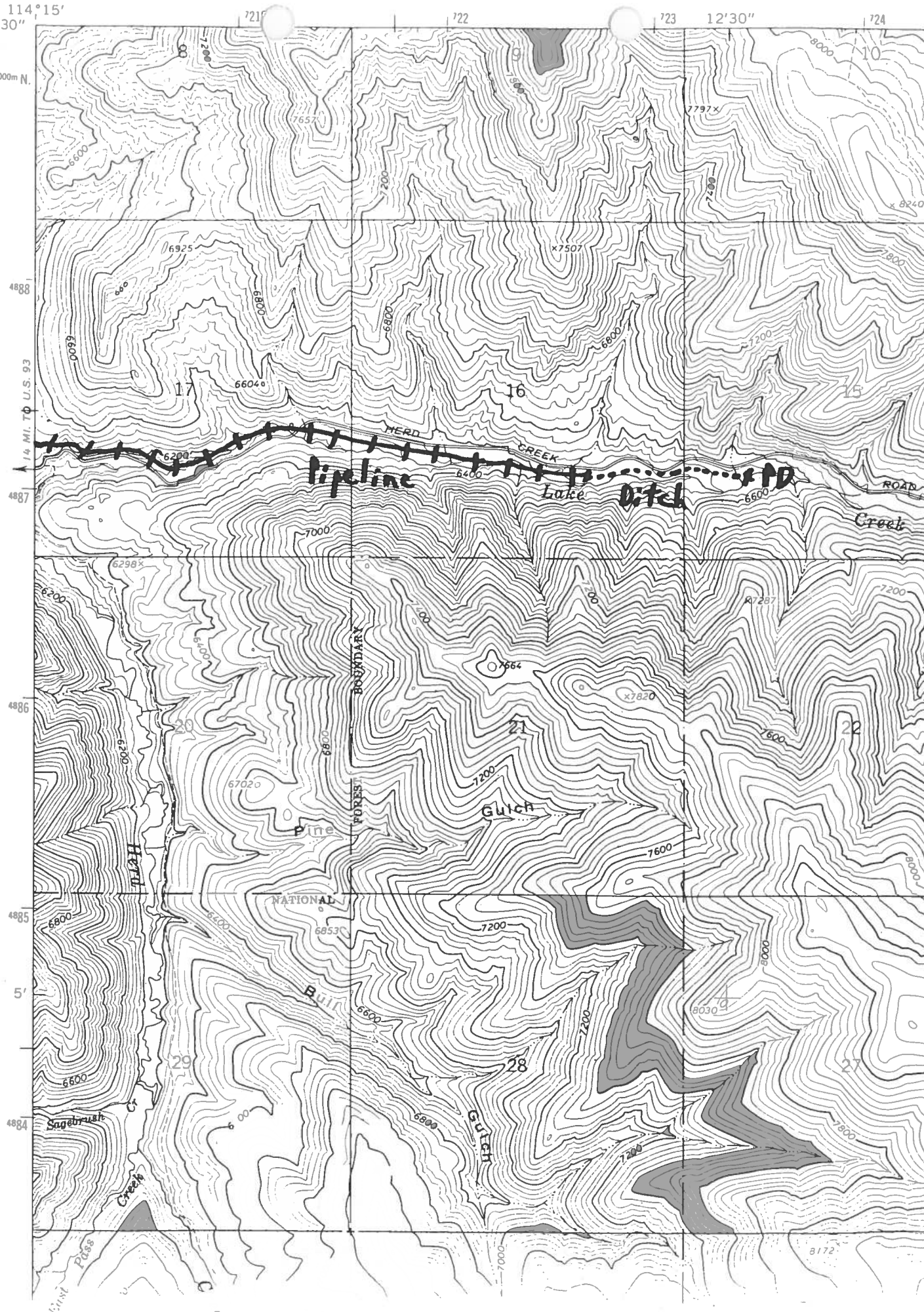
- ☐ Photo of Diversion and System Attached

(required for all but single household domestic groundwater, and stockwater.

- ☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).

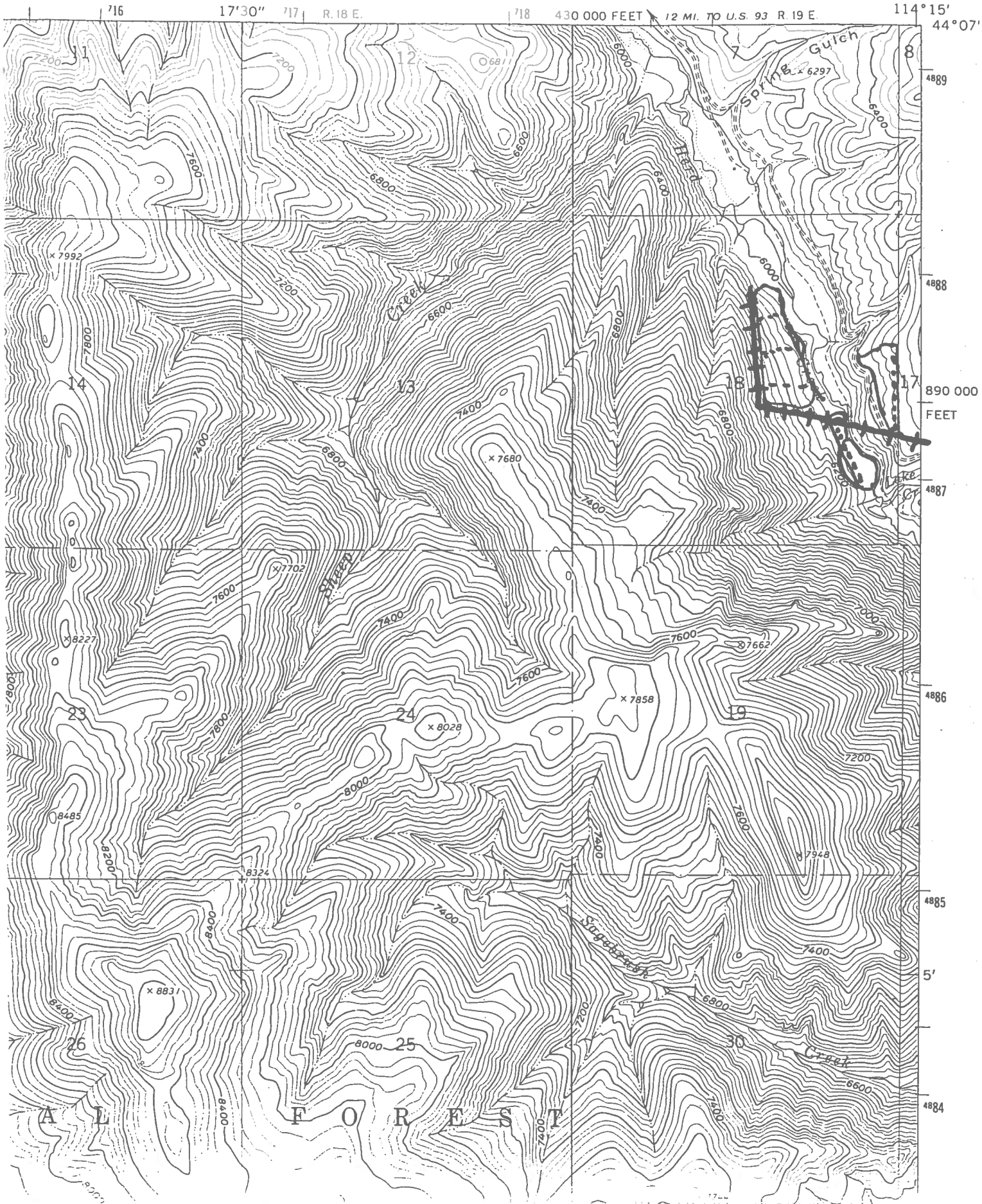
114°15'
44°07'30"

4889000m N.



BOWERY PEAK QUADRANGLE
IDAHO-CUSTER CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)

18A4



LAKE O. ...

Jim Roberts

Gravity System

Location 1/2 mi. S.W. of Sec.
1. N. R. 19 E.

Along 2 miles 8" steel

1/2 mile 6" Aluminum

3-5" 3" Lateral

Q = 600 GPM

motor & pump

Elev. Lift 210'

Dist to field 700'

H.P. 50

Q = 400 GPM

Est. Cost - material

8" steel \$31,500.00

6" Aluminum 6,336.00

3-5" 3" Lateral 2,800.00

Total \$40,636.00

(208) 879-4488

JAMES R. BENNETTS

ATTORNEY AT LAW

P.O. Box 36

CHALLIS, IDAHO 83226

May 7, 1993

RECEIVED

MAY 11 1993

Department of Water Resources
Southern Region Office

James E. Stanton
Idaho Department of Water Resources
222 Shoshone Street East
Twin Falls, ID 83301

Re: Herd Creek Ranch Water Right, Custer County

Dear Mr. Stanton:

I am enclosing a copy of the work sheet prepared by SCS on the pipeline capacity of the Herd Creek water system you requested. This, along with the earlier data submitted, should help indicate the usage.

I am sorry this took so long to find, but the local SCS office is controlled out of Salmon (Ralph Swift) and we couldn't locate the data when I first tried.

I would say the design was to deliver 65+ inches as compared to about 2/3 that amount if pumped.

Very truly yours,

James R. Bennetts

JRB:jab
Enclosures

Water Right Number - 72-07066

Prefix Translation:

WATER RIGHT

Old (D) Number -

*** C - CURRENT OWNER ***
BENNETTS
JAMES R
1 - PO BOX 36
2 -
3 -
City- CHALLIS
Phone - 208-879-2567
State- ID Zip- 83226

Priority Date - 01/19/1978
Region - 17 SOUTHERN
Stage - L - LICENSE
Status -

Source - LAKE CREEK
Tributary - HERD CREEK, EAST FORK

Twn Rng Sec Tract Lot Rflg County Point of Diversion
09N 19E 15 SW SW (37) CUSTER
Diversion Name Diversion Rate Diversion No.

Code Description Period From Period To Water Use Diversion Rate Diversion Volume
01 - IRRIGATION 04/15 10/15 1.080 189.00

Total Div. Rate - 1.080
Total Div. Volume - 189.00
Total Div. Capacity - 1.330

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
09N	19E	18	NW NE		2.0	01	IRRIGATION	(37) CUSTER	
09N	19E	18	SW NE		19.0	01	IRRIGATION	(37) CUSTER	
09N	19E	18	SE NE		7.0	01	IRRIGATION	(37) CUSTER	
09N	19E	18	NE SE		12.0	01	IRRIGATION	(37) CUSTER	
09N	19E	18	NW SE		8.0	01	IRRIGATION	(37) CUSTER	
09N	19E	18	SE SE		6.0	01	IRRIGATION	(37) CUSTER	

Total Acres: 54.0

- - - Diversion Means - DITCH, PIPELINE & GRAVITY FLOW.

- - - Non-Irrigation Use -

- - - Other Rights for Same Use -

Remarks
No Remarks found.

Old Water Right Numbers
No Old Water Right Numbers found.

WR BASE RIGHT

Water right number - 72-070066

Prefix Translation:

WATER RIGHT

R30 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
004 - The issuance of this right in no way grants any right-of-way or easement across the land of another.

Decree Plaintiff

Decree Defendant

Decree Date

00/00/0000

No Comments Found

Audit Fields - 02/05/88 05/28/88 02/09/94 02/09/94 07/28/94

Water Rights Dates and Flags Area

Proof Due Date	- 08/01/1985	Field Exam Made	- 07/22/1992	Field Exam Fee	- R
Approved/Denied	- 04/26/1978	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 07/24/1985	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 12/27/1993	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 08/30/1994	Appl Received	- 01/19/1978	Transfer/Amended	-
Decree Date	- 00/00/0000	Name Connector	-	POU Ownership Flag	- Y
Presumption Flag	-				

R PROOF

CVR

MAPS

PHOTOS

MISC

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