

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 COEUR D'ALENE-SPOKANE RIVER
BASIN WATER SYSTEM

CIVIL CASE NUMBER: 49576

Ident. Number 95-15266Date Received: 1-19-11Receipt No: 2026477Received By: am

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JAN 19 2011

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

IDWR/NORTHERN

1. Name of Claimant(s) Gerry and Jennifer Benson Phone (208) 686-9360Mailing Address 301 15th St. Plummer IO Zip 83851
Street or Box City State2. Date of Priority: (Only one per claim) October 06, 1970
Month/Day/Year (mm)3. Source of water supply (Check one) ☒ Ground Water () or Other () (a) (Well)
which is tributary to (b) _____4. Location of Point of Diversion is: Township T46N Range R5W Section S13
NE 1/4 of NE 1/4, or Govt. Lot _____ BM. County of BenevolenceParcel (PIN) no. RP 46 N05W 130 300 A

Additional points of diversion if any: _____

If available, GPS coordinates: _____

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

We bought the property and moved in 9-30-05. Previous owner (deceased) had the water system setup. 2 wells that have

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

For Household / Couple animals purposes from January 1st to December 31st amount 0.04 - Domestic
For _____ purposes from _____ to _____ amount 0.02 - Stockwater7. Total Quantity claimed 0.06 cfs () or AFY ()

8. Non-irrigation uses. Describe fully. (eg. Domestic: give number of households served if single ownership;

Stockwater and Number of livestock) Household (1) & few animals - horse/dog
So: Domestic: 1 home Stockwater: 3 head horsesSCANNED
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9. Location of Place of Use is: Township T46N, Range R05W, Section S13,
NE 1/4 of NE 1/4, Govt. Lot _____ BM. Parcel (PIN) no. _____
If different than shown in Item 4

for (Check One) Domestic () Stock () Domestic and Stock (✓)

Additional places of use, if any _____

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

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

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

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

_____ or None (✓)

13. Remarks: Please see attached sheet for remarks.

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

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number _____

15. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane 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: 4 } 2 Well Reports 1 Map
1 Remark Sheet

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Merry W. Benson Date: 01-14-11

Jennifer A. Benson Date: 1-14-11

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

_____ of _____,
Title Organization

that I have signed the foregoing 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 _____ Date _____

Title and Organization _____

16. Notice of Appearance:

Notice is hereby given that I, _____, will be acting as attorney at law of 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 _____ Date _____

Address _____

Last Name _____ Identification No. _____

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Notice of Claim to a Water Right

PIN: RP 46 NO 5W 130 300 A

Attachment: Remarks

#13. Remarks: We purchased the property and moved in 9/30/05. There are two wells on the property as marked on the map.

Well #1 isn't operational as was stated when we acquired the property. We found this out during a visit from North ID Pump. While doing some work on Well #2, the back Well, it was determined that Well #1 needs a pump. We intend to fix it when able to financially. In the past two years the pipe and pump were replaced on Well #2.

In the first few months of living here, the folks next door, Dorothy Duross, Executor of the Estate of Verson Slinkard, discontinued using our water by having her mom's old house on their property disconnected from ours and connected to water from the City of Plummer. I do not know where the line(s) is or where it's supposedly shut off, likely there's a shutoff valve on their property. As a side story, this past year I attempted to locate any and all lines near our Wells in an effort to cut and cap so as to not have any lines run anymore than necessary to service our needs and to eliminate any old lines that might leak, etc.. I'd contacted the Call Before You Dig #, paid a Locator, and have still not been able to find the lines where we thought they might be. The hope was to find lines as close to the house and abandon the old line(s) across our property over to the Duross' property. We intend to pursue this project once the weather gets better.

Other than this, the only other information I have is the water is used for domestic and stockwater (horses) purposes as stated in the Notice.

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WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Administration within 30 days after the completion or abandonment of the well.

1. WELL OWNER

Name VERNON SLINKARD
Address PLUMMER IDAHO
Owner's Permit No. 95-77-N-6

7. WATER LEVEL

Static water level 45 feet below land surface
Flowing? ☐ Yes ☒ No G.P.M. flow
Temperature 50 ° F. Quality Good
Artesian closed-in pressure _____ p.s.i.
Controlled by ☐ Valve ☐ Cap ☐ Plug

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe method of abandoning)

8. WELL TEST DATA

☐ Pump ☒ Bailer ☐ Other

Discharge G.P.M.	Draw Down	Hours Pumped
<u>14</u>	<u>100</u>	<u>1 hr</u>

3. PROPOSED USE

☒ Domestic ☐ Irrigation ☐ Test ☐ Other (specify type)
☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection

9. LITHOLOGIC LOG

Hole Diam.	Depth		Material	Water	
	From	To		Yes	No
<u>8</u>	<u>0</u>	<u>20</u>	<u>Brown clay</u>		☒
<u>6</u>	<u>20</u>	<u>40</u>	<u>white clay</u>		☒
<u>6</u>	<u>40</u>	<u>80</u>	<u>Brown clay</u>		☒
<u>6</u>	<u>80</u>	<u>90</u>	<u>light brown clay</u>		☒
<u>6</u>	<u>90</u>	<u>208</u>	<u>light tan shale rock</u>		☒

4. METHOD DRILLED

☒ Cable ☐ Rotary ☐ Dug ☐ Other

5. WELL CONSTRUCTION

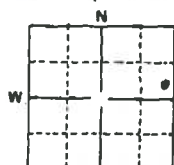
Diameter of hole 6 inches Total depth 208 feet
Casing schedule: ☒ Steel ☐ Concrete

Thickness	Diameter	From	To
<u>250</u> inches	<u>6</u> inches	<u>1</u> feet	<u>102</u> feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was a packer or seal used? ☐ Yes ☒ No
Perforated? ☐ Yes ☒ No
How perforated? ☐ Factory ☐ Knife ☐ Torch
Size of perforation _____ inches by _____ inches
Number _____ From _____ To _____
_____ perforations _____ feet _____ feet
_____ perforations _____ feet _____ feet
_____ perforations _____ feet _____ feetWell screen installed? ☐ Yes ☒ No
Manufacturer's name _____
Type _____ Model No. _____
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Diameter _____ Slot size _____ Set from _____ feet to _____ feetGravel packed? ☐ Yes ☒ No Size of gravel _____
Placed from _____ feet to _____ feetSurface seal depth 20 Material used in seal ☐ Cement grout
☒ Pudding clay ☒ Well cuttingsSealing procedure used ☐ Slurry pit ☐ Temporary surface casing
☒ Overbore to seal depth

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name _____

Lot No. _____ Block No. _____

County BENEFANE 1/2 1/4 NE 1/4 Sec. 13 T. 46 N 1/2, R. 5 E/W

10.

Work started 15-77 finished Aug 2-77

11. DRILLERS CERTIFICATION

Firm Name FREDERICK WELLDRI'G Firm No. 71Address SPIRIT LAKE IDAHO Date Aug 2-77Signed by (Firm Official) Frederick

and

(Operator) Blome

WELL DRILLER'S REPORT

RECEIVED

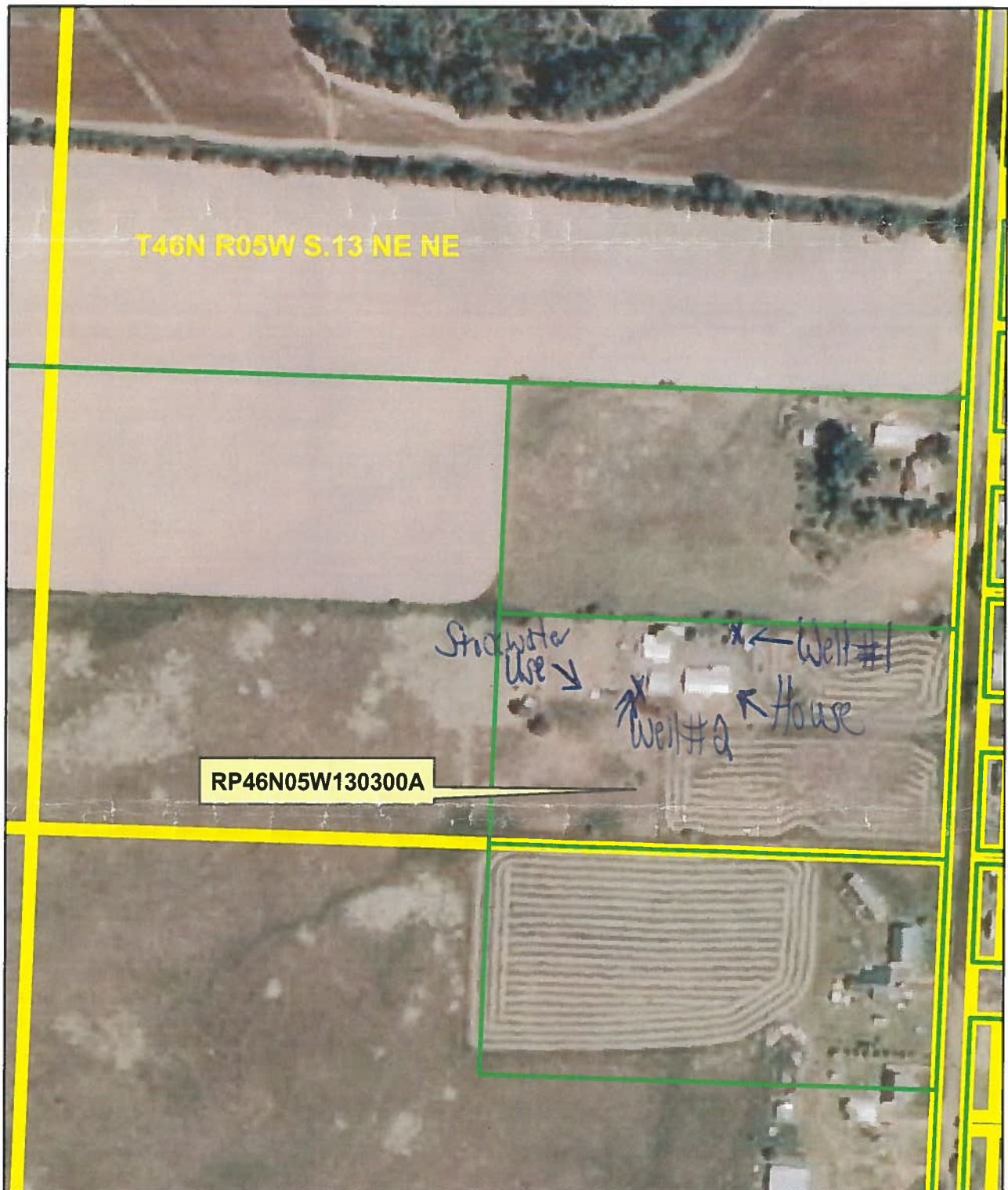
State law requires that this report be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

ACT 3

[illegible]

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BENSON PIN RP46N05W130300A



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January 14, 2011

Mr. Shuan Maxey
Senior Water Resource Agent
Idaho Department of Water Resources, Northern Region
7600 Mineral DR, Str. 100
Coeur d'Alene, ID 83815

Dear Mr. Maxey:

Please note we have returned the following enclosed information regarding our Notice of Claim to a Water Right, map, Well Driller's Report(s), and a Remarks sheet for #13.

Feel free to contact me should there be any questions.

Thanks again for your help.

Sincerely,

Gerry Benson / Jennifer Benson
Gerry and Jennifer Benson
331 15th St.
Plummer, ID 83851

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