

02/24/2004

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 25-13050
NAME AND ADDRESS: C MICHAEL BENNETT
10764 N 55TH E
IDAHO FALLS ID 83401

LUELLA I BENNETT
10764 N 55TH E
IDAHO FALLS ID 83401

SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 0.130 CFS
THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.
PRIORITY DATE: 06/01/1910
POINT OF DIVERSION:

T03N R39E S18 NWSENE Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.080 CFS
STOCKWATER	01/01 12/31	0.050 CFS

PLACE OF USE: DOMESTIC Within BONNEVILLE County
T03N R39E S18 SENW
STOCKWATER Within BONNEVILLE County
T03N R39E S18 SENW

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

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.

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

EXPLANATORY MATERIAL: Beneficial Use

STOCKWATER, 150 COWS & HORSES PARCEL NO. RP03N39E184201

Use of this right is combined with water from Farmers Friend Irrigation Co.

Water Right 25-13050

SCANNED

1 NOV 17 2004

FILED

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: **A25-13050**
Date Received: 9/14/1989
Receipt No: E010409
Received By: _____

AMENDED

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

AMENDED

1. Name: C MICHAEL BENNETT 208-523-9691
Address: 10764 N 55TH E
IDAHO FALLS ID 83401

AND/OR

Name: LUELLA I BENNETT 208-523-9691
Address: 10764 N 55TH E
IDAHO FALLS ID 83401

2. Date of Priority: JUN 1, 1910

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	39E	18	NW	SE	NW		BONNEVILLE

5. Description of diverting works:
PUMP ABOUT 120' DEEP ORIG. WELL WAS HAND DUG CASING LATER INSTALL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.080		
STOCKWATER	01/01	12/31	0.050		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSEHOLD, S/150 HEAD COWS & HORSES, PLUS TRAILER HOUSE

SCANNED

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PROFILED

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	39E	18	SE NW		DOMEST	
			SE NW		STOCK	

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:
FARMERS FRIEND IRRIG.

14. Remarks:

LIVESTOCK ALSO USE WATER FROM ANDERSON CANAL WHICH PASSES THROUGH FARM.

CLAIM WAS AMENDED TO REDUCE THE DIVERSION RATE FOR STOCK FROM 0.20 TO 0.02 CFS. THIS MORE ACCURATELY FITS FOR 150 HEAD CATTLE. ALSO REDUCES TOTAL TO GET BELOW MEASUREMENT DIST. ASSESSMENT STD.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): C.M. Burnett Date: 4/13/99

Date: _____

SCANNED

NOV 17 2004

PROFILE

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 13th day
of April 19 99

ALLAN B. RUBERRY
Notary Public

Seal



Residing at PO BOX 1000

My Commission Expires 09/23/03

SCANNED

JUL 25 2001

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: A25-13050
Date Received: 9/14/1989
Receipt No: E010409
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: C. MICHAEL BENNETT 208-523-9691
Address: 10764 N. 55TH E.
IDAHO FALLS, ID 83401

AND/OR
Name: LUELLA I. BENNETT 208-523-9691
Address: 10764 N. 55TH E.
IDAHO FALLS, ID 83401

2. Date of Priority: JUN 01, 1910

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	39E	18	NW	SE	NW		BONNEVILLE

5. Description of diverting works:

PUMP ABOUT 120' DEEP ORIG. WELL WAS HAND DUG CASING LATER INSTALL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.080		
STOCKWATER	01/01	12/31	0.200		

7. Total Quantity Appropriated is:

0.280 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

D/1 HOUSEHOLD, S/150 HEAD COWS & HORSES, PLUS TRAILER HOUSE

A25-13050

Page 1

Date: 09/20/89

MICROFILMED

NOV 12 1992

A2513050



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	39E	18	SE	NW		DOMEST	
			SE	NW		STOCK	

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:
FARMERS FRIEND IRRIG.

14. Remarks:
LIVESTOCK ALSO USE WATER FROM ANDERSON CANAL WHICH PASSES THROUGH FARM.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Bennett

CLAIM IDENT. NO. A25-13050

DATE RECEIVED 9/14/89

CK # _____

AMOUNT \$ _____

- | | YES | NO | Required Info? |
|--|--|--------------------------|----------------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ | * |
| 2. Is a priority date entered? | ☒ | ☐ | * |
| Is the priority date acceptable in view of mandatory filing dates? | | | |
| See Adjudication Memos #1 and #4 to determine if a Permit is required. | | | |
| 3. (a) Is a source entered? | ☒ | ☐ | * |
| (b) Is a tributary to entered? (if required) | ☒ N/A | ☐ | * |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ | * |
| 5. Is there a description of the diverting works? | ☒ | ☐ | |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | ☒ | ☐ | * |
| Is the period of use included? | ☒ | ☐ | |
| Is a quantity claimed for each use? | ☒ | ☐ | * |
| 7. Is a total quantity claimed entered? | ☒ | ☐ | |
| 8. If required is a consumptive use entered? | ☒ N/A | ☐ | |
| Is the consumptive use correct? | ☒ N/A | ☐ | |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. | ☒ N/A | ☐ | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | ☒ | ☐ | * |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ | |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ | |
| 13. Are other water rights listed or "none" indicated? | ☒ | ☐ | |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) | ☒ N/A | ☐ | |
| 15. Is the basis of the claim indicated? | ☒ | ☐ | |
| 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) | ☒ N/A | ☐ | |
| 17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | ☒ | ☐ | * |
| 18. Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ | * |
| 19. Was this claim filed on time, or was an extension granted? | ☒ | ☐ | * |
| 20. Is the fee enclosed correct? | ☒ Exempt | ☐ | * |
| 21. If this claim is based on an existing water right, has the identification number been entered? | ☒ N/A | ☐ | |
| 22. Should this claim be data entered? | ☒ | ☐ | |

Claim checked by: kat

Date: 9/14/89

Claim must be returned to claimant: _____

(Yes) ☒ (No)

Claimant must be notified of modifications: _____

(Yes) ☒ (No)

Receipt Prepared by: _____

Claim data entered by: JK

Sent to claimant by: _____

Date: _____

Date: 9/20/89

Date: _____

Checked by: _____

Date: _____

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NOV 12 1992

Comments: ant high, but item #9 identifies # of lead.

#9 - not completed as written

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

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

CIVIL CASE NUMBER: 39576

Identification No. A25-13050
Date Received 9-14-89 / 90
Receipt Number E010409

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.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) C. Michael & Luella I Bennett Phone (208) 523-9691Mailing Address 10764 N 55th E Zip 834012. Date of Priority (Only one per claim) June 1 1910 Month/Day/Year3. Source of water supply (Check one) (☒ Groundwater or Other () (a) _____

Name or kind of source

which is tributary to (b) _____

4. Location of point of diversion is: Township 3 N. Range 39 ESection 18, NW 1/4 of SE 1/4 of NW 1/4, Govt. Lot _____, BM.,County of Bonneville

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. pump - about 120 ft deep original well
was hand dug - casing later installed & backfilled

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

For Domestic purposes from 1-1 to 12-31 amount 0.08 (cfs)

For Stockwater purposes from 1-1 to 12-31 amount 0.20 (Both dates are inclusive)

7. Total quantity claimed 0.28 (cfs)8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) Single ownership household + 150 head cows horses
plus second residence in trailer house (we own)

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10. Place of use is: Township: 3N Range 39E

Section 18 ^{SE}~~NW~~ 1/4 of SE ^{NW}~~SE~~ 1/4, Govt. Lot _____, B.M.,

County of Bonneville for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any None

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

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. None ()

Irrigation - Farmers Friend canal

14. Remarks: livestock also use water from anderson
canal which passes through farm

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

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

Number of Attachments _____

By signing I/We acknowledge reading the notice on the back of this claim form.

I/We wish to receive for a small annual fee monthly copies of the docket sheet.

YES _____ NO X

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

Signature of Claimant (s) C. Michael Bennett Date 9/12/89

Luella L Bennett Date 9/12/89

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

of _____, that I have signed the foregoing

document in the space below as _____ of _____

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

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____ }
County of Bonneville } SS.

Subscribed and sworn (or affirmed) before me this 14th day of Sept 19 89

SEAL

Notary Public Betty J Thompson

Residing at BETTY J. THOMPSON, NOTARY PUBLIC

My Commission Expires RESIDING AT IDAHO FALLS, IDAHO
MY COMMISSION EXPIRES: 6-30-94

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

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NOV 12 1992

AJ0749NP
No. R25-13050

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 04/27/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	C MICHAEL BENNETT	06/01/1910	STOCKWATER	01-01 12-31	0.20 CFS	
C	LUELLA I BENNETT 10764 N 55TH E IDAHO FALLS ID 83401 (208) 523-9691		DOMESTIC	01-01 12-31	0.08 CFS	
TOTAL DIVERSION:					0.28 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T03N R39E S18 NWSENW

BONNEVILLE County

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE											
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac	
03N	39E	18	:					:					:					:					:

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE											
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac	
03N	39E	18	:					:					:					:					:

POU County: BONNEVILLE

Non-Irrigation Uses: 2 HOMES

Other Rights: FARMERS FRIEND IRRIG.

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP STOCKWATER, 150 COWS & HORSES
PARCEL NO. RP03N39E184201

Dates: Exam Made Date: Verified Date: 04/27/1998 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

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

**PHILIP E. BATT
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

January 12, 1998

C MICHAEL & LUELLA I BENNETT
10764 N 55TH E
IDAHO FALLS ID 83401

RE: Snake River Basin Adjudication (SRBA)
Water Right No. A25-13050

Dear Mr. & Mrs Bennett:

According to the county records, this property has no improvements on it. The claim to the property is for domestic and stockwater purposes. The department needs proof the water right is being used for a domestic purpose.

Please return documentation showing proof of domestic use to my attention at this office no later than January 23, 1998.

Please call this office toll-free at 1-800-451-4129 if you have any questions.

Yours truly,

Danni M. Smith
SRBA Sr. Secretary

Enc: Copy of A25-13050

SCANNED

NOV 17 2004

PROFILED

AJ5856NP

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

DATE: AUG-25-1997
PAGE: A-46

RIGHT NUMBER: 25-13050

NAME & ADDRESS: C MICHAEL BENNETT ✓
LUELLA I BENNETT
10764 N 55TH E
IDAHO FALLS ID 83401

SOURCE: GROUNDWATER

QUANTITY: 0.28 CFS

PRIORITY DATE: 06/01/1910

POINT OF DIVERSION: T03N R39E S18 NWSNW Within BONNEVILLE County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.2 CFS
	DOMESTIC D/1 HOUSEHOLD, S/150 HEAD	01-01 12-31	0.08 CFS

PLACE OF USE: STOCKWATER Within BONNEVILLE County 7.14 Ac RP 03N39E184201 A
T03N R39E S18 SENW

DOMESTIC Within BONNEVILLE County no improvement, see note!
T03N R39E S18 SENW

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

LIVESTOCK ALSO USE WATER FROM ANDERSON CANAL WHICH PASSES THROUGH FARM.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

SCANNED

NOV 17 2004

PROFILED

Verified by alw Date: 9/16/97

Verification Source: computer