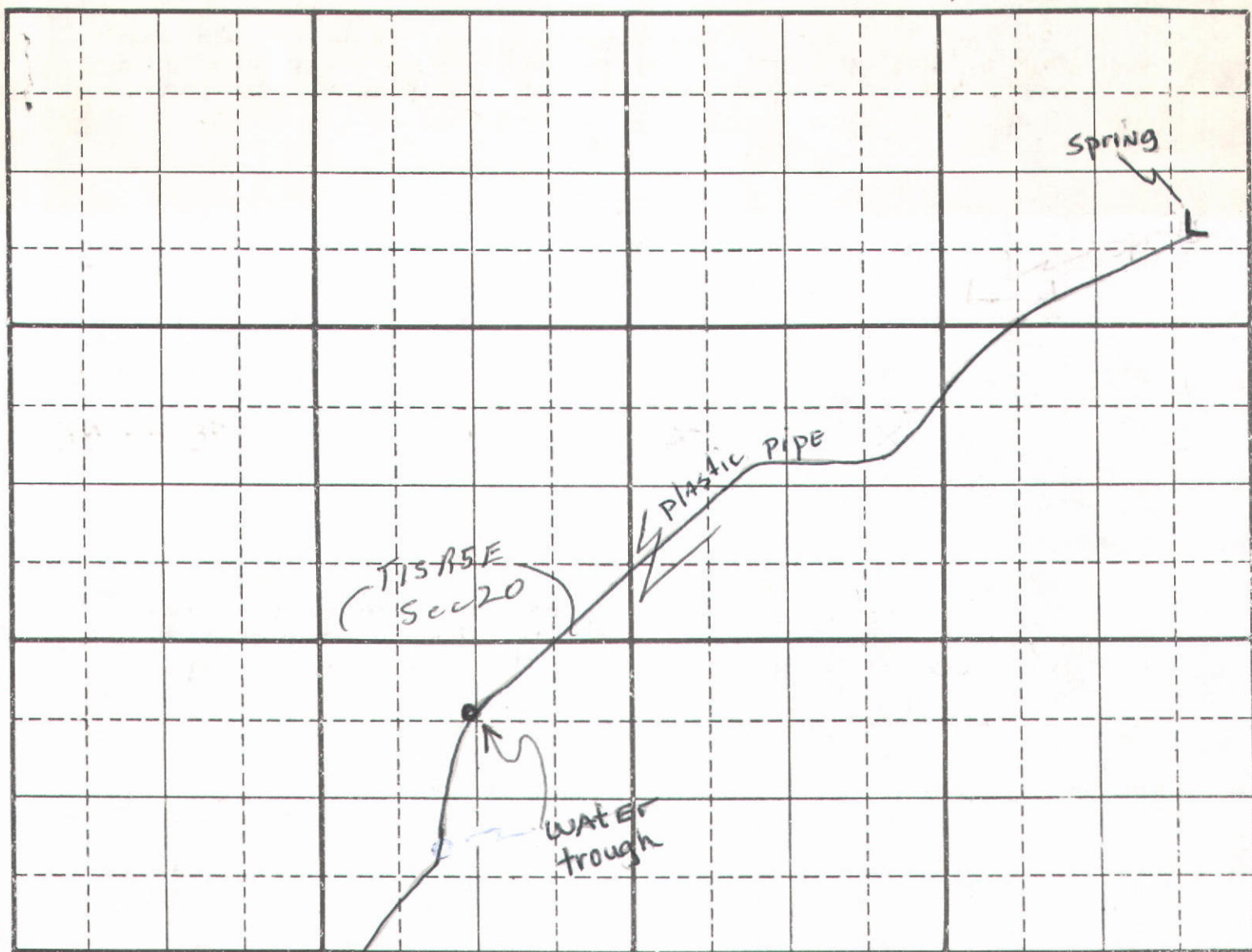


(8) Remarks

T1N R5E
SEC 35



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Elmore) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Richard Bennett
(Claimant)

Sworn to before me this 19th day of April

19 82

Dr. L. R. Davis
Notary Public for Idaho
Residing at Mountain Home, Idaho

My commission expires Lifetime

5-28-82
4-21-82 FOR DEPARTMENT USE ONLY
Received by ls Date 4-20-80 Exception filed by: _____ Date _____
Prelim. check by no check Date 6/2/82
\$30.00 fee received by dt Date 5/28/82 22944
Published in mtn Home News
Dates 6/17 & 6/24/82

Forwarded to
claimant by: _____ Date _____

**NOTICE OF CLAIMS
TO WATER RIGHTS**

Notice is hereby given that the following claims to water rights have been established by diversion and application to beneficial use:

61-4052

MEADOWS MOBILE HOME PARK
AIR BASE RD., #4, MOUNTAIN
HOME, ID 83647

Source: GROUNDWATER

Priority Date: 06/01/1960

Amount: 0.60 CFS

Diversion Point: SWNE Sec 35 T 03S
R 06E, ELMORE Co.

Use: COMMERCIAL (0.10 CFS) from
01/01 to 12/31; DOMESTIC (0.60 CFS)
from 01/01 to 12/31

Place of Use: NWNE SWNE Sec 35
T 03S R 06E

Diversion Means: WELL, PUMP &
STORAGE TANK

61-4053

R.H. BENNETT & SONS, INC.
P.O. BOX 366, MOUNTAIN HOME,
ID 83647

Source: LOWER SOULS REST
SPRING tributary to SINKS

Priority Date: 06/01/1970

Amount: 0.02 CFS

Diversion Point: NENE Sec 02 T 01S
R 05E, ELMORE Co.

Use: STOCKWATER (0.02 CFS)
from 01/01 to 12/31

Place of Use: NESE Sec 21 T 01S R
05E SESW Sec 23 T 01S R 05E

Diversion Means: PIPES

61-4054 ✓ *fr*

R.H. BENNETT & SONS INC.
P.O. BOX 366, MOUNTAIN HOME,
ID 83647

Source: SOULS REST SPRING
tributary to SINKS

Priority Date: 06/01/1968

Amount: 0.02 CFS

Diversion Point: NESE Sec 35 T 01N
R 05E, ELMORE Co.

Use: STOCKWATER (0.02 CFS)
from 01/01 to 12/31

Place of Use: NENW Sec 20 T 01S R
05E

Diversion Means: PIPES

Any exception to any claim of water
right may be filed with the Director of
the Idaho Department of Water
Resources, 92 S. Cole Road, Boise,
Idaho 83709.

A. KENNETH DUNN

Director

Published 6/17 & 6/24/82.

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Floyd S. Waters do
solemnly swear that I am the foreman, or
publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation,
published once a week at MOUNTAIN HOME,
IDAHO, that the notice attached hereto and
which is a part of the proof of publication
thereof, was published in said newspaper for

2 consecutive weeks, the first publica-
tion having been made on the 17 day
of June, 1982 and
the last publication having been made on the
24 day of June,
1982; every Thursday issue of the paper

during the period and time of publication and
that the notice was published in the newspaper
proper and not in a supplement thereof.

And I further swear that the said MOUN-
TAIN HOME NEWS has been continuously and
uninterruptedly published in said Elmore County
during a period of 78 consecutive weeks prior
to the first publication of the attached notice.

Floyd S. Waters

Subscribed and sworn to me this 24th

day of June, 1982

Allen W. Swenson
Notary Public

RECEIVED

JUN 28 1982

Department of Water Resources
Western Regional Office

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APR 20 1982

Department of Water Resources

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that RH BENNETT & SON, INC.

(Name of Claimant)

P.O. Box 366 Mountain Home, ID

(Mailing Address)

83647

(Zip Code)

Telephone No. 587-7475

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows

- (1) Date of priority. (When was the water first applied to a beneficial use) 1968

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water (Name of stream, lake, spring, etc., or ground water)

Souls Rest Springtributary to SOULS REST RES.

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed.

(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
		(Mo., Day)	(Mo., Day)
Quantity <u>10 gal/min.</u>	Use <u>STOCK WATER</u>	Period of Use From <u>JAN 1</u>	To <u>DEC 31</u>
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____

- (4) All of it TOTAL QUANTITY USED.

(cfs, af)

- (5) A) Point of diversion. (Location of point where water is diverted from its source)

NE 1/4 SE 1/4, Sec. 35 Twp 1N Rge. 5E B.M., County of Elmore

Additional points of diversion: _____

B) Describe means of diversion of water (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities be as specific as possible. Describe any changes in the system and give the date of the change. this is A surface spring that has been developed with 4" drain pipe and drain rock. The water is distributed to

livestock through 5 miles of 1" pvc plastic pipe.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			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	
<u>1S</u>	<u>5E</u>	<u>20</u>					X												

No. of acres _____

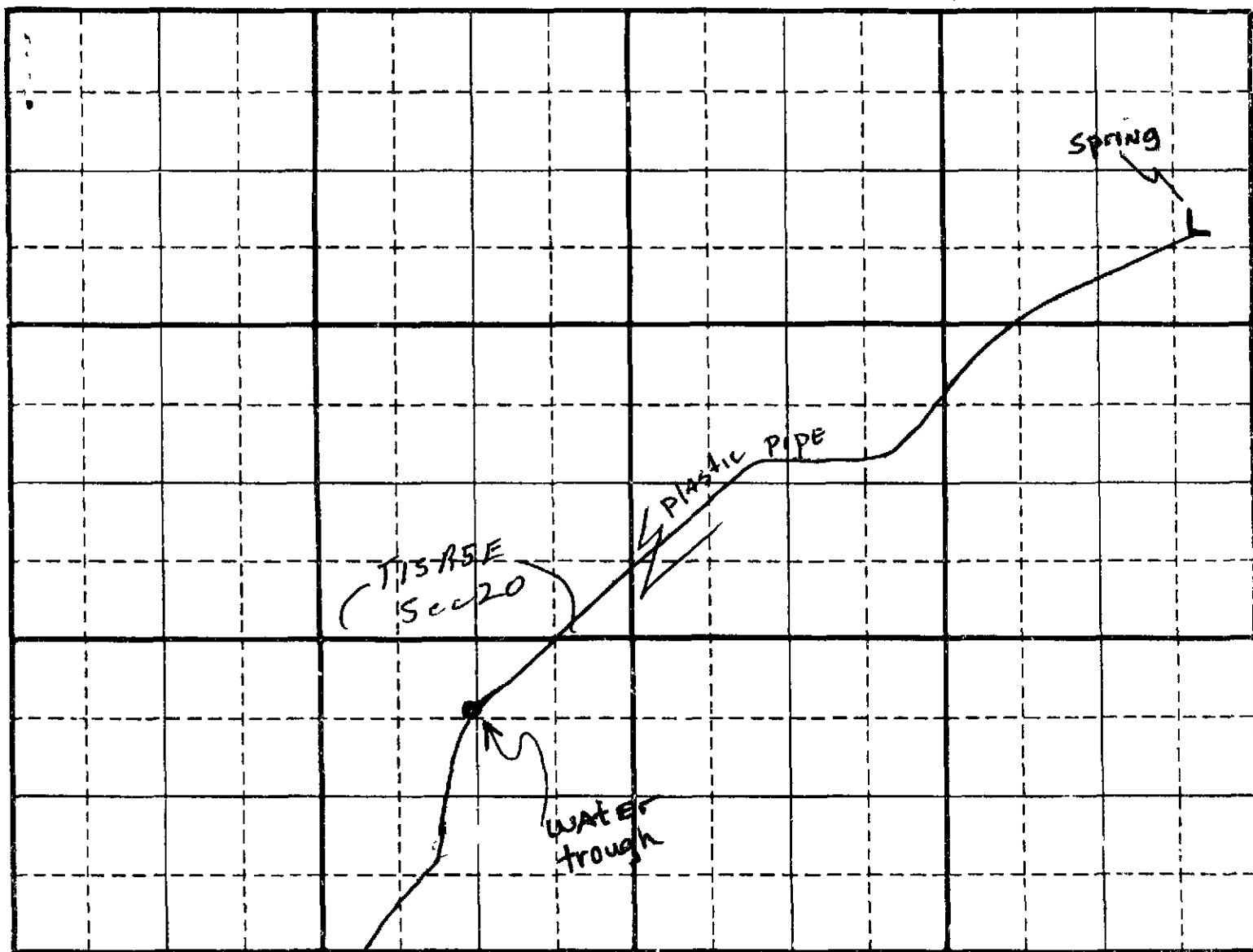
B) If water is used for other than irrigation, fully describe that use, being as specific as possible. this is A surface spring that has been developed with 4" drain pipe and drain rock. The water is distributed to livestock through 5 miles of 1" pvc plastic pipe.

NOTE. Include here the type and number of stock watered: CATTLE; AS MANY AS 400
If you are claiming water as a member of an organization, list name of organization _____

MICROFILMED

(8) Remarks

T1N 25E
SEC 35



Scale. 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Elmore) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Richard Bennett
(Claimant)

Sworn to before me this 19th day of April

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Dr L. Adams

Notary Public for Idaho
Residing at Mountain Home, Idaho

My commission expires Lifetime

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5-28-82
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\$30.00 fee received by at Date 5/28/82 22944
Published in Mountain Home News
Dates 6/17 & 6/24/82

R. H. BENNETT & SON, INC.

P. O. BOX 366 ★ MOUNTAIN HOME, IDAHO 83647

ROBERT W. BENNETT
RICHARD W. BENNETT
ROBERT F. BENNETT

PHONE 587-3213
587-7475

The place of use on claim designated as "Souls Rest Spring" (NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35 T1N, R5E B.M. Elmore County) is at a dirt water trough $5\frac{1}{2}$ miles from the spring itself (description given above).

The dirt trough is located on the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec 20 T1S R5E B.M. Elmore County

The places of use on the claim designated as "Lower Souls Rest Spring" (NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 2 T1S, R5E Elmore County) are at dirt water troughs the first of which is 4 miles from the spring (description above) on the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 23 T1S R5E B.M. Elmore County. The second dirt water trough is $4\frac{1}{4}$ miles from the spring on the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 21 T1S R5E B.M. Elmore County.

* PLEASE NOTE the point on the map on the back of the claim form where the water pipe line ~~splits~~ splits to serve each of the two dirt water troughs described above under "Lower Souls Rest Spring."

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RECEIVED

MAY 28 1982

Department of Water Resources
Western Regional Office

**NOTICE OF CLAIMS
TO WATER RIGHTS**

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AIR BASE RD., #4, MOUNTAIN
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Amount: 0.60 CFS

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R 05E, ELMORE Co.

Use: COMMERCIAL (0.10 CFS) from
01/01 to 12/31; DOMESTIC (0.50 CFS)
from 01/01 to 12/31

Place of Use: NWNE SWNE Sec 35
T 033 R 05E

Diversion Means: WELL, PUMP &
STORAGE TANK

61-4053

R.H. BENNETT & SONS, INC.

P.O. BOX 386, MOUNTAIN HOME,
ID 83647

Source: LOWER SOULS REST
SPRING tributary to SINKS

Priority Date: 06/01/1970

Amount: 0.02 CFS

Diversion Point: NENE Sec 02 T 01S

R 05E, ELMORE Co.

Use: STOCKWATER (0.02 CFS)
from 01/01 to 12/31

Place of Use: NESE Sec 21 T 01S R
05E SESE Sec 20 T 01S R 05E

Diversion Means: PIPES

61-4054 ✓ 47

R.H. BENNETT & SONS, INC.

P.O. BOX 386, MOUNTAIN HOME,
ID 83647

Source: SOULS REST SPRING
tributary to SINKS

Priority Date: 06/01/1960

Amount: 0.02 CFS

Diversion Point: NESE Sec 35 T 01N

R 05E, ELMORE Co.

Use: STOCKWATER (0.02 CFS)
from 01/01 to 12/31

Place of Use: NENE Sec 20 T 01S R
05E

Diversion Means: PIPES

Any exception to any claim of water
right may be filed with the Director of
the Idaho Department of Water
Resources, 92 S. Cole Road, Boise,
Idaho 83709.

A. KENNETH DUNN

Director

Published 6/17 & 6/24/82

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Floyd S. Waters do
solemnly swear that I am the foreman, or
publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation,
published once a week at MOUNTAIN HOME,
IDAHO, that the notice attached hereto and
which is a part of the proof of publication
thereof, was published in said newspaper for

2 consecutive weeks, the first publica-
tion having been made on the 17 day
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the last publication having been made on the
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Floyd S. Waters

Subscribed and sworn to me this 24th
day of June, 1982

Allen W. Swenson
Notary Public

RECEIVED

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State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: 6LS

Right Number 101-4054

Applicant BH Bennett & Son Inc

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. 5/22/82
- ☒ Claim published correctly. name home address 101-4054 82
30 / 22944
- ☐ Exceptions processed.

By DBS

Date 7/6/82

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By kw

Date 7/9/82

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RECEIVED
JUL 13 1982

Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83709
(208) 334-2190
JULY 8, 1982

R. H. BENNETT & SONS INC.
P.O. BOX 366
MOUNTAIN HOME
ID 83647

RE: Claim No. 61-4054

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filings and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Sincerely,

DAVID B. SHRM
Western Region Supervisor

Enclosure

MICROFILMED

61-4054-

R. H. BENNETT & SONS INC.

P.O. BOX 366, MOUNTAIN HOME, ID 83647

Source: SOULS REST SPRING tributary to SINKS

Priority Date: 06/01/1968

Amount: 0.02 CFS

Diversion Point: NESE Sec 35 T 01N R 05E, ELMORE Co.

Use: STOCKWATER (0.02 CFS) from 01/01 to 12/31

Place of Use: NENW Sec 20 T 01S R 05E

Diversion Means: PIPES

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