

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

RECEIVED

Ident. Number: A29-10073

Date Received: 7/20/1989

Receipt No: E012255

Received By: S.M.

MAR 7 - 1990

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RAY D. BENHAM
Address: 5312 W. TUCANNON
KENNEWICK, WA

509-783-3829

99336

AND/OR

Name: EVELYN J. BENHAM
Address: 5312 W. TUCANNON
KENNEWICK, WA

509-783-3829

99336

2. Date of Priority: OCT 15, 1898

3. Source: UNNAMED SPRING

Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	38E	10	SW	SE	SW		BANNOCK

5. Description of diverting works:
DITCHES TO FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.160		
STOCKWATER	01/01	12/31	0.050		

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

A.F.A.

8. Total consumptive use is 20.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER - 200 CATTLE

A29-10073

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Date: 07/20/89

A2910073



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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	38E	10	SE	SW		IRR	8.0
Section Acres							8.0
Total Acres							8.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

22.5 SHARES IN DEMPSEY CANAL COMPANY, A29-10074/04272

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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: 2

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): Ray D. Benham Date: 20 July 1989

Date: _____

State of Idaho)
County of BOONEVILLE) SS.

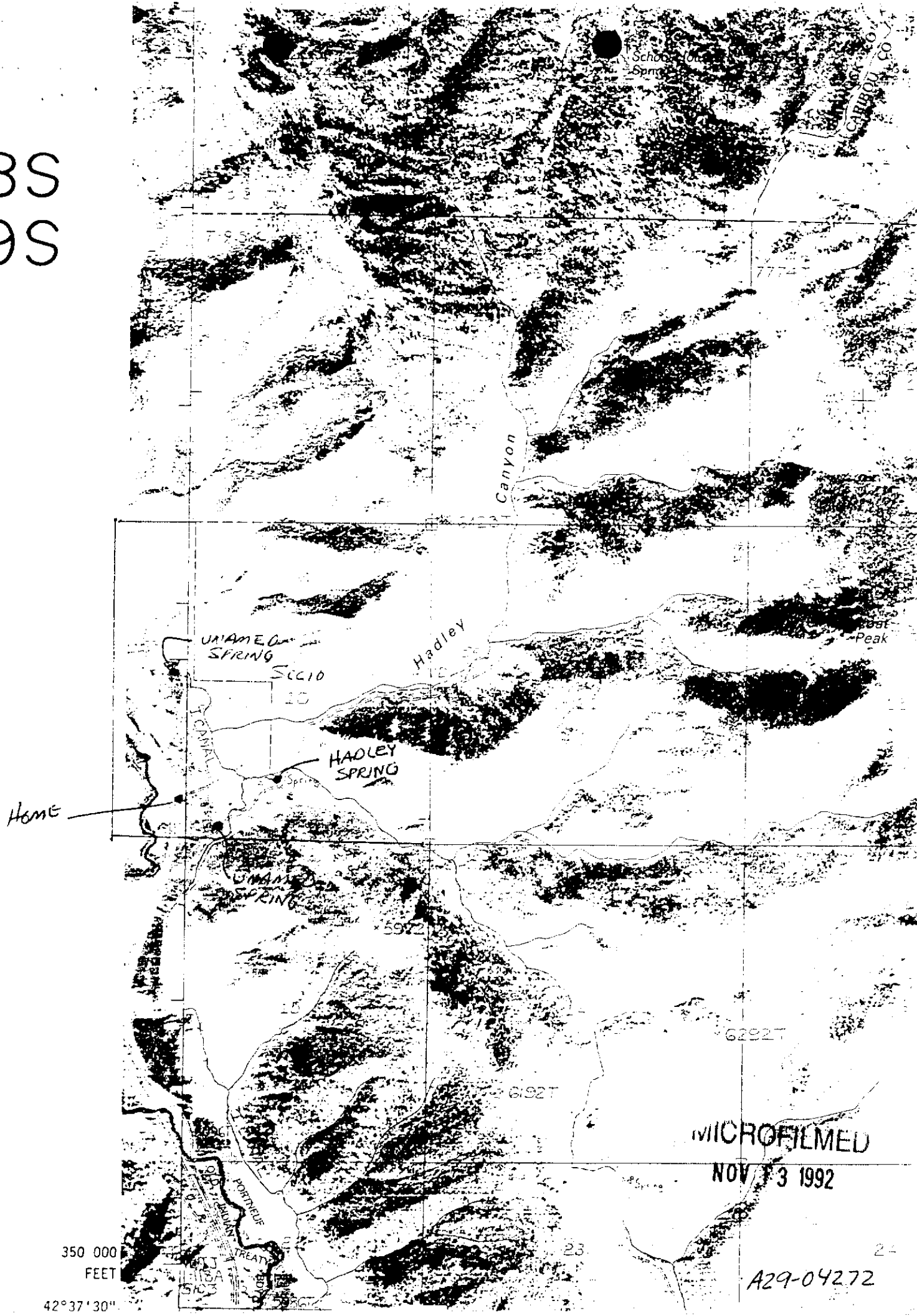
Subscribed and sworn (or affirmed) before me this 20 day
of July 19 89

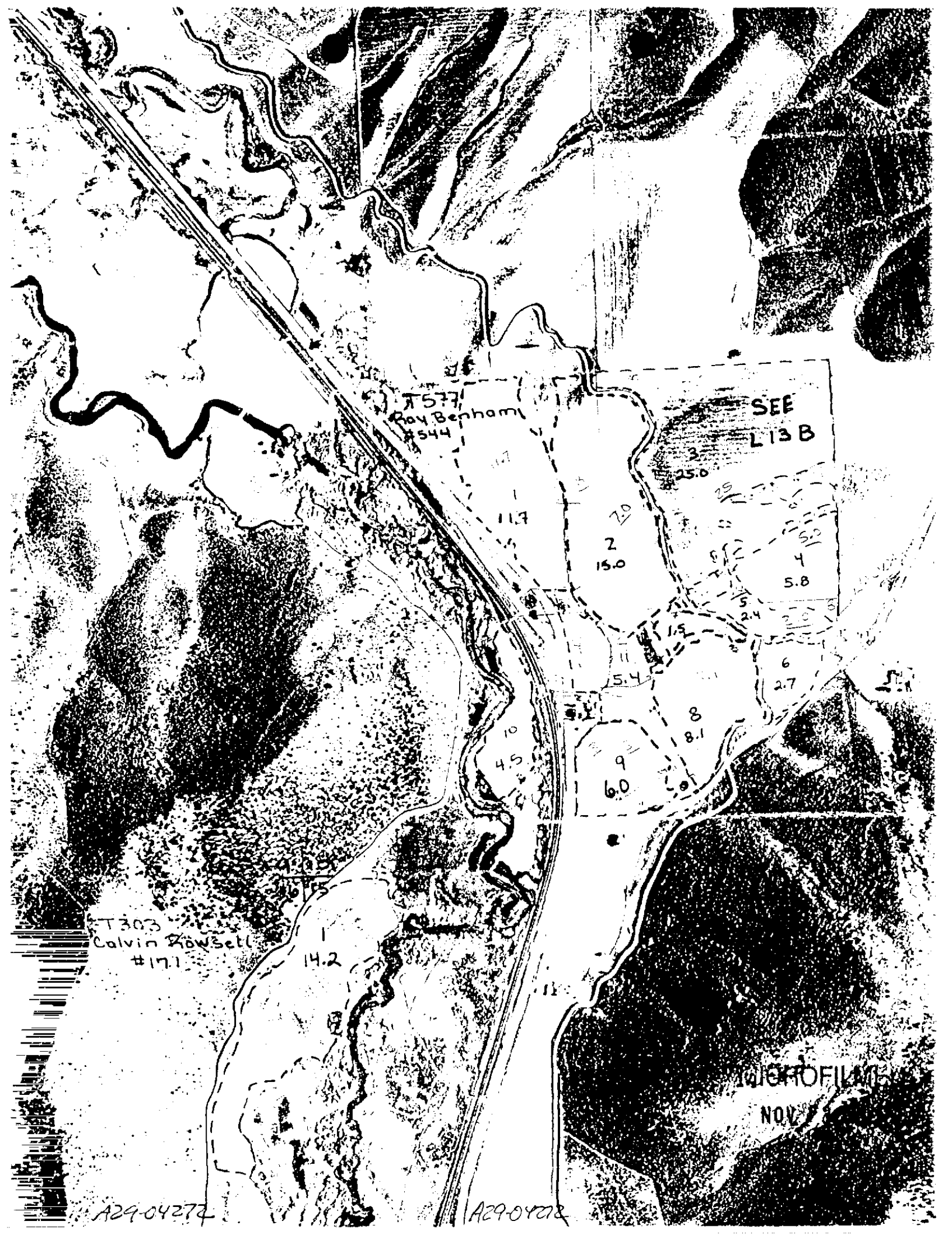
[Signature]
Notary Public

Seal

Residing at TRAIL FALLS
My Commission Expires 9-12-94

T8S
T9S





T577
Ray Benham
#544

SEE
L13B

T303
Calvin Rowsett
#171

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NOV

A29-04272

A29-04012

AJ5809NP
No. A29-10073

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/22/00
PAGE: 179

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RAY D BENHAM	10/15/1898	IRRIGATION	04-01 11-01	0.160 CFS	
C	EVELYN J BENHAM 5312 W TUCANNON KENNEWICK WA 99336 (509) 783-3829		STOCKWATER	01-01 12-31	0.050 CFS	
TOTAL DIVERSION:					0.160 CFS	
CONSUMPTIVE USE:						20.00 AFA

Water Source: SPRING

Tributary to: PORTNEUF RIVER

Stage: STATUTORY CLAIM

Point(s) of Diversion: T09S R38E S10 SWSESW

BANNOCK County

Place of use Legal Description for: IRRIGATION

NE												NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM		
09S	38E	10	:									:									:	8.0		
TOTAL ACRES																					8.0			

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: BANNOCK

Non-Irrigation Uses: STOCKWATER - 200 CATTLE

Other Rights: 22.5 SHARES IN DEMPSEY CANAL COMPANY, A29-10074/04272

Other Water Rights Listing Overlapping Place(s) of Use:

A29-00036 A29-00037 A29-04272 A29-10074 A29-11773

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 29 Field Inspection Flag:
Presumption Flag:

Audit: 03/08/90 THOMPSON 07/29/94 THOMPSON 03/29/95 POST-STD 05/10/00 CVANDERM

Ray D. and Evelyn J. Benham

5312 W Tucannon Kennewick, WA 99336 (509) 783-3829

24 March 1995

Dave Carlson
State of Idaho Department of Water Resources
900 N Skyline Dr.
Idaho Falls, Id 83402-1718

Dear Mr. Carlson:

In reference to the two unnamed springs on our property near Lava Hot Springs, ID. My Wife Evelyn has direct knowledge of the use and maintenance of ditches from the spring for irrigation and cattle watering purposes back to 1946 when her father [Marlin Hogan] purchased the Farm. I have direct knowledge from June of 1956 of maintenance of use of water by cattle. I married Evelyn in 1956. We do not have receipts for the maintenance but dynamite has been used on several occasions before back hoe's were available for cleaning the ditches.

At the time we filed for the with your office the person taking our claim told us to use the 1898 date for Hadley Spring. Since you indicated that is not acceptable please accept this letter for your files.

Sincerely,

Ray D. Benham

Ray D Benham
24 Mar 95

Evelyn J [Hogan] Benham

Evelyn Hogan Benham
24 Mar 95

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NOV 13 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 2, 1995

Ray and Evelyn Benham

Dear Mr. and Mrs. Benham:

The evidence you submitted, indicates a water right from Hadley Spring.

This evidence is fine for 29-4272, but the other two water rights are for

Spring(unnamed). You need to submit evidence for these additional water rights,

since the Notice of Water Right only talks about Hadley Springs.

If you have anymore questions please call or write me.

Thank you

Dave Carlson
Water Agent, Adjudication

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NOV 13 1995

DATE: 12/28/94
PAGE: 4

Dates: Exam Made Date: Verified Date:

Misc: Water District Number: 29 Field Inspection Flag:
Presumption Flag:

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DATE: 12/28/94
PAGE: 3

Dates:	Exam Made Date:	Verified Date:
Misc:	Water District Number: 29	Field Inspection Flag:
		Presumption Flag:

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